

THE
Punjab Legislative Council
Debates.

From 25th February to 31st July 1933.

Vol. XXIII.

OFFICIAL REPORT.



Lahore :

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1933.

PUNJAB LEGISLATIVE COUNCIL

LIST OF MEMBERS.

I.—EX-OFFICIO MEMBERS AND MINISTERS.

- The Hon'ble Captain Sardar Sir Sikander Hyat Khan, K.B.E., Revenue Member to Government, Punjab.
- The Hon'ble Sir Henry Craik, Bart., K.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 Sir Firoz Khan Noon, Kt., Minister for Education, (Shah-pur East Muhammadan, Rural).
- The Hon'ble Dr. Gokul Chand Narang, M.A., Ph. D., Minister for Local Self-Government (North-West Towns, Non-Muhammadan, Urban).

II.—OFFICIALS, NOMINATED.

- Boyd, Mr. D. J., C.I.E., I.C.S., Financial Commissioner, Revenue, Punjab.
- Calvert, Mr. H., C.I.E., I.C.S., Financial Commissioner, Development, Punjab.
- Fazl Ilahi, Khan Sahib Shaikh, Director, Information Bureau.
- Garbett, Mr. C. C., C.M.G., C.I.E., F.R.G.S., I.C.S., Chief Secretary to Government, Punjab.
- Gill, Colonel D. P., I.M.S., Inspector-General of Civil Hospitals, 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.
- Macfarlane, Mr. D., Secretary to Government, Punjab, Public Works Department, Buildings and Roads Branch.
- 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.

III.—NON-OFFICIALS, NOMINATED.

Ghani, Mr. M. A., Representative of Labour.

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.

Maya Das, Mr. Ernest, B.A., Representative of Indian Christians.

Mushtaq Ahmad Gurmani, Khan Bahadur 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.

IV.—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.

Bahadur Khan, Sardar, M.B.E., Dera Ghazi Khan (Muhammadan), Rural.

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

Bansi 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 Bahadur Sardar, B.A., LL.B., Multan Division and Sheikhpura (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. Sajan Kumar, Hissar (Non-Muhammadan), Rural.

Din Muhammad, Khan Bahadur Shaikh, M.A., LL.B., East and West Central Towns (Muhammadan), Urban.

Faqir Husain Khan, Chaudhri, Amritsar (Muhammadan), Rural.

Fazl Ali, Khan Bahadur Nawab Chaudhri, O.B.E., Gujrat East (Muhammadan), Urban.

IV.—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 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 Hassan, 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, Sheikh, Amritsar City (Muhammadan), Urban.

IV.—ELECTED—CONCLUDED.

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

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PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Saturday, 25th February 1933.

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 :—

Chandhri Zafrulla Khan (Sialkot, Muhammadan, Rural).

Khan Sahib Shaikh Fazl Ilahi (Director of Information Bureau).

Mr. D. Macfarlane (Chief Engineer).

STARRED QUESTIONS AND ANSWERS.

DRAFTSMEN IN THE IRRIGATION DEPARTMENT.

***2136. Mian Nurullah :** Will the Honourable Member for Revenue please state if there are any draftsmen in the Irrigation Department who have rendered service during the Great War and as a reward for which were given promotion as acting head draftsmen, and have been acting as such for about ten years and drawing pay over Rs. 150, but have now been brought under reduction ; if so, why these men have not been confirmed in their appointments as head draftsmen ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : One man only to some extent answers to the description ; he has not been confirmed due to vacancies being filled by better qualified men.

GIRDAWARI.

***2137. Mian Mushtaq Ahmad :** Will the Honourable Revenue Member please state—

- (a) the dates of *girdawari* in Muzaffargarh district ;
- (b) the dates of *girdawari* in Multan district ;
- (c) the reason for difference in the dates of *girdawari* of the two neighbouring districts ;
- (d) whether it is a fact that the rice, *jowar*, *bajra* and turnip crops are mostly cut when *girdawari* for the said crops start in Muzaffargarh district ;
- (e) whether it is also a fact that under the rules *kharaba* cannot be given on the crops which had been cut before the *girdawari* ;
- (f) whether it is a fact that *girdawari* of cotton starts too early and the crop is not ripe in the beginning of *girdawari* and correct judgment as regards *kharaba* is not possible at that time ;
- (g) whether Government is considering the question of fixing more suitable dates for *girdawari* ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a)

(i) From 1st August to 15th August for such *chari* and *jowar* as had not been recorded at the *zaid rabi girdawari* and for *rawan* and indigo.

(ii) From 16th September to 30th September for rice, *moth* and *sunwak*.

(iii) From 1st October to 12th November for other *kharif* crops.

(iv) From 1st to 15th February for turnips and peas.

(v) From 1st March to 12th April for other *rabi* crops.

(vi) From 20th to the end of May for *zaid rabi* crops.

(b) (i) From July 15th for such *chari* and *jowar* as has not been recorded at the *zaid rabi girdawari* and for indigo.

(ii) From September 15th for rice, *moth* and *sanwak*.

(iii) From October 1st for other *kharif* crops.

(iv) From January 1st for turnips and peas and for such *sathri* as was not in flower at the *kharif girdawari*.

(v) From March 1st for other *rabi* crops.

(vi) From May 10th for *zaid rabi* crops.

(c) The difference between the dates is due to the difference in local conditions, means of irrigation, and other observations made by the settlement officers who framed the *dastur-ul-amals* for these districts.

(d) Yes.

(e) Yes, crops cut before inspection are presumed to have matured.

(f) The cotton crop, if sown at the proper time, is generally ripe at the time of *girdawari* in October and November. When for any reason the ripening of the crop is later than usual, the inspection can be postponed as provided for in paragraph 1 of standing order no. 22.

(g) Yes, the Deputy Commissioner, Muzaffargarh, is contemplating the modification of some of the *girdawari* dates.

BRIDGE ON SIRHIND CANAL AT MILE 16.

***2138. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Revenue Member please state—

(a) if there are rules in the Irrigation Department which provide for the construction of a bridge over the canal for agricultural facilities for the people of the place through which the canal passes ;

(b) if the reply is in the affirmative, whether it had erected such a bridge on Sirhind Canal at mile 16 R. D. 79,000 ;

(c) whether Government proposes to compensate the people of Kirri Afghanan and other adjacent villages who have suffered loss due to the absence of such a bridge at mile 16 R. D. 79,000 ;

(d) whether Government has any intention of erecting such a bridge ; if so, when ; if not, why not ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The honourable member is referred to section 17 of the Canal Act (Act no. VIII of 1879).

(b) No bridge has been constructed at R. D. 79,000 Sirhind Canal, but a ferry has been provided at this site.

(c) No. It is not admitted that the inhabitants of the adjacent villages have suffered any loss.

(d) No, in view of the reply given to (b) above and because bridges already exist about a mile and-a-half and two miles and-a-half above and below the ferry, respectively.

BRIDGE ON SIRHIND CANAL AT MILE 16.

***2139. Chaudhri Muhammad Abdul Rahman Khan :** (a) Will the Honourable Revenue Member please state if it is a fact that before the construction of the new *nala* in 1929 which was made in 1928-29 for removing dampness in *ilaqa bait*, the inhabitants of villages Kirri Afghanan, Kotla, Khara, and Bassi Gujran, etc., submitted certain representations to the Executive Engineer, Ludhiana, on 29th March 1929, at his camp at Kirri Afghanan, and whose copies were sent to the Governor of the Punjab, Finance Member, Foreign Minister and Chief Engineer, Lahore, which are as follows:—

- (1) a bridge should be constructed on Sirhind Canal at mile 16, R. D. 79,000, near the boating ghat at Kirri Afghanan;
 - (2) bridges should be constructed near each village on the *nala* so that the land north of the above *nala* should have easy access thereto for the peoples of that village;
 - (3) the lands spoiled by dampness should be compensated by squares of land in Nili Bar;
 - (4) the cost of the land covered by the *nala* should be paid to the owners of the lands under loss;
 - (5) the agriculturists should have sole right to the grass and trees growing on either bank of the said *nala*, they should also have the privilege of using water of the same;
- (b) whether the Government have considered the above representation; if not, why not; if there is any intention to grant these requests; if so, when?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Yes. The petition contained only two requests, *viz.*, provision of a cart bridge at mile 16 and compensation for land damaged by waterlogging by grant of land in the Nili Bar. Parts (2), (4) and (5) of the question, therefore, do not arise.

(b) The request for a bridge at mile 16 was not granted as bridges already exist at miles 14 and 18 and a ferry is provided at mile 16.

Information is being collected as to the action taken in regard to the second request, and will be conveyed to the honourable member when ready.

MUSLIM REPRESENTATION IN MEDICAL DEPARTMENT, SHAHPUR DISTRICT.

***2140. Sayad Mubarak Ali Shah :** (i) Will the Honourable Minister for Education please state whether it is a fact—

- (a) that there has never been a Muslim head clerk in the office of the Civil Surgeon, Shahpur ;
- (b) that the second clerk and the third clerk have always been non-Muslims in the said office ;
- (c) that there are very few Muslim dispensers in the Shahpur district ?

(ii) If the answer to the above be in the affirmative, what steps does the Government intend to take (1) in order to break the monopoly of the non-Muslims in the said office, (2) to bring up the number of Muslim dispensers (according to the population basis) in the Shahpur district ?

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

(b) Yes.

(c) Out of 24 dispensers in the Shahpur district 15 are Muslims.

(ii) The policy of Government was stated by the Honourable Member for Finance in a debate in the Legislative Council on the 19th July 1927. This is still the policy of Government, and Government will continue to carry out the requirements of the formula contained in the said statement of policy.

MUSLIM REPRESENTATION IN MEDICAL DEPARTMENT, JHANG DISTRICT.

***2141. Sayad Mubarak Ali Shah :** (i) Will the Honourable Minister for Education please state—

- (a) the total number of dispensers community-wise in the Jhang district ;
- (b) the number of clerks community-wise in the office of the Civil Surgeon of Jhang ;
- (c) the number of candidates enlisted in the dispensers' register community-wise in the Jhang district ?

(ii) If the number of Muslims falls very short, as compared with their population in the Jhang district, what steps does the Government intend to take to bring it up according to the population of that community in that district ?

The Honourable Malik Sir Firoz Khan Noon :

(a) Muslims	..	..	11
Sikhs	..	..	2
Others	..	..	25
(b) Muslims	..	..	..
Sikhs	..	..	..
Hindus	..	..	3
(c) Muslims	..	..	10
Sikhs	..	..	1
Others	..	..	12 (includes 2 under training).

(ii) The policy of Government was stated by the Honourable Member for Finance in a debate in the Legislative Council on the 19th July 1927. This is still the policy of Government, and Government will continue to carry out the requirements of the formula contained in the said statement of policy.

MUSLIM REPRESENTATION IN MEDICAL DEPARTMENT, LYALLPUR DISTRICT.

***2142. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Education please state—

- (a) the number of clerks community-wise in the office of the Civil Surgeon, Lyallpur ;
- (b) the number of dispensers community-wise in the Lyallpur district ;
- (c) the number of medical officers community-wise in charge of the dispensaries in the Lyallpur district ;
- (d) if there be great disparity between the Muslim and non-Muslim incumbents in the above mentioned posts, what steps the Government intends to take to make up the proportion of the Muslims ?

The Honourable Malik Sir Firoz Khan Noon :

(a) Muslims	..	..	2
Sikhs	..	..	..
Hindus	..	..	2
(b) Muslims	..	..	14
Sikhs	..	..	12
Others	..	..	29
(c) Assistant surgeons—			
Muslims	..	..	..
Sikhs	..	..	1
Others	..	..	1
Sub-assistant surgeons :—			
Muslims	..	..	4
Sikhs	..	..	6
Others	..	..	16

(d) The policy of Government was stated by the Honourable Member for Finance in a debate in the Legislative Council on the 19th July 1927. This is still the policy of Government, and Government will continue to carry out the requirements of the formula contained in the said statement of policy.

JUNIOR AND SENIOR SPECIAL CLASSES.

***2143. Sayad Mubarak Ali Shah :** Will the Honourable Minister for Education please state whether it is a fact—

- (a) that the senior special and junior special classes are attached only to the High School at Shorkot, in the Jhang district ;

[Sayad Mubarak Ali Shah.]

(b) whether it has been brought to his notice that this causes much inconvenience and extra expense to the students of these classes, and that it could be better if these classes were attached to some high school at the headquarters of the district as Shorkot is situated in a corner of the district ;

(c) that owing to the inconvenience stated in (b) many poor zamindar students could not join the said classes last year and had to stop their further studies ;

(d) if the answers to (a) and (b) be in the affirmative whether the Government is prepared to attach these classes with some high school at a central place like Jhang ; if not, why not ?

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

(b) No. There is no high school under public management at the headquarters of the district, to which the special classes could be attached. There are high classes at the intermediate college ; but experience shows that village boys going direct from a vernacular school to an intermediate college do not fit in well.

(c) The Department is not aware of it. It may, however, be added for the honourable member's information that the students of the special classes generally live in school hostels and, therefore, the location of these classes even at a considerable distance from their homes is not expected to cause serious inconvenience or heavy extra expense.

(d) Does not arise. Besides there is no Government or board high school at a central place like Jhang to which the classes could be attached.

MANDI AT WARYAM.

***2144. Sayad Mubarak Ali Shah :** Will the Honourable Revenue Member please state—

(a) whether it is a fact that during the colonization and since then a plot of land has been reserved for the building of a *mandi* near Railway Station Waryam in Jhang district, and the land is still lying uncultivated ;

(b) whether the proposal to build a *mandi* at Waryam has not been carried out ;

(c) whether it has been brought to his notice that there is a great inconvenience to the zamindars of the surrounding *ilaga* to take the produce of their lands to the nearest *mandis* (like Gojra and Toba Tek Singh) owing to the lack of good communications, and that they have to suffer a loss if they dispose of their grain in their *chaks* ;

(d) whether there have been verbal requests and representations from the zamindars concerned on several occasions to the local as well as the higher authorities to build the proposed *mandi* at Waryam ;

(e) if the answer to the above be in the affirmative, what steps the Government intends to take in the matter ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) There is a plot of land unallotted and uncultivated near Waryam Railway Station, but it does not appear to have been reserved specifically for a *mandi*.

(b) I have not been able to trace any such proposal.

(c) and (d) Some petitions of this nature have been received.

(e) None at present.

HAQ OF ZAMINDARS OF PURANI ABADI.

***2145. Sayad Mubarak Ali Shah :** Will the Honourable Revenue Member please state—

(a) whether it is a fact that the villages of Shirgrah (Mir Ahmad), Sajoka, Arrar, Kot Gal (Kaliyar), Syal Dhaulka, Chitaur, Sadiq, Jara, Derah, Gidar Khadi, Hayatwala and Bhochareh (some in Shahjwana and others in Mitha Lak sub-division of the Lower Jhelum Canal) owned by the zamindars of the *purani abadi* have been getting the 75 per cent. as *haq* since the opening of the Lower Jhelum Canal, but recently their *haq* has been reduced to 40 per cent. ;

(b) whether any notice of the decrease in the *haq* was issued and thoroughly made known to the zamindars concerned and their objections invited, prior to the actual reduction of their long standing *haq* ;

(c) who were the Executive Engineer and the Sub-Divisional Officer, canals, who proposed and carried out this reduction, and their community ;

(d) whether the zamindars concerned made several representations and verbal requests to the local and higher officials of the department against this reduction ;

(e) what action Government proposes to take in the matter ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The villages named got supply for an intensity of 75 per cent. up to about 1925 when it was reduced to 40 per cent.

(b) It is believed that the zamindars were warned in 1901 that the supply would be reduced if the water table rose.

(c) I do not see the object of this question. The insinuation underlying the last three words is regrettable, and I must decline to answer it.

(d) Yes.

(e) The subject is under investigation.

HAVELI PROJECT.

***2146. Sayad Mubarak Ali Shah :** Will the Honourable Revenue Member please state—

(a) what progress has been made with the Haveli Project Scheme since 1930 ;

(b) whether the cause of delay to take the work of construction in hand is the present financial stringency ;

[**Sayad Mubarak Ali Shah.**]

- (c) if the answer to (b) be in the affirmative, whether the Government proposes to raise a loan from the public and give an opportunity to the capitalists to invest their money which is otherwise lying idle with them owing to the depression in trade, and thereby create some work for the unemployed in the rural areas; if not, why not?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) A skeleton project has been prepared and will shortly be supplied to members of the Legislative Council to enable them to examine the proposals.

(b) and (c) The commencement of construction and the method of financing the project do not arise until the proposals have been examined and approved.

SUB-JUDGE AT JHANG.

***2147. Sayad Mubarak Ali Shah :** Will the Honourable Member for Finance please state—

- (a) the names of the senior sub-judges, community-wise along with the period of their stay at Jhang, during the last twenty-five years;
- (b) if the number and the period of stay of the senior sub-judges belonging to a particular community during the period mentioned in (a) be very small, the reasons of this monopoly of one community of a particular post at Jhang and the steps, if any, the Government intends to take to break the monopoly?

The Honourable Sir Henry Craik : (a) A statement is laid on the table.

(b) Postings of senior sub-judges are made under the orders of the High Court, whose attention will, however, be drawn to the fact that the appointment has been held by Muhammadans for about 3½ years only during the last 25 years.

STATEMENT.

Name of Officer.	Period.	REMARKS.
Pandit Joti Parshad ..	1st April 1906 to 8th March 1908.	
Shaikh Ali Muhammad ..	9th March 1908 to 6th June 1908.	
Pandit Joti Parshad ..	7th June 1908 to 6th January 1909.	
<i>Deputy Commissioner, Jhang, held charge from 7th January 1909 to 26th January 1909.</i>		
Shaikh Ali Muhammad ..	27th January 1909 to 19th September 1909.	
Lala Lakhpat Rai ..	20th September 1909 to 5th April 1910.	
Shaikh Ali Muhammad ..	6th April 1910 to 9th August 1910.	
Misra Jowala Sahai ..	10th August 1910 to 16th November 1910.	
Lala Ganga Ram, Wadhawa ..	17th November 1910 to 8th May 1911.	

Name of Officer.	Period.	REMARKS.
<i>Post vacant from 9th May 1911 to 22nd May 1911.</i>		
Rai Bahadur Lala Sansar Chand.	23rd May 1911 to 3rd August 1911.	
Shaikh Fazal Illahi ..	4th August 1911 to 18th October 1911.	
Rai Bahadur Lala Sansar Chand	19th October 1911 to 12th March 1914.	
S. Ghulam Haider Khan ..	Extra assistant commissioner held charge from 13th March 1914 to 31st March 1914.	
Lala Maya Bhan ..	1st April 1914 to 7th November 1914.	
Lala Ganesh Dass ..	8th November 1914 to 7th December 1914.	
Lala Maya Bhan ..	8th December 1914 to 20th September 1915.	
Lala Mul Chand ..	21st September 1915 to 15th February 1916.	
Lala Naranjan Dass ..	16th February 1916 to 19th July 1916.	
Lala Ganesh Dass ..	20th July 1916 to 4th October 1916.	
Lala Naranjan Dass ..	5th October 1916 to 29th April 1918.	
Shaikh Ali Muhammad ..	30th April 1918 to 14th June 1918.	
Lala Devi Dial Dhawan ..	15th June 1918 to 14th September 1918.	
Shaikh Ali Muhammad ..	15th September 1918 to 16th July 1920.	
Lala Khan Chand ..	17th July 1920 to 10th December 1920.	
Lala Achhru Ram ..	11th December 1920 to 4th May 1922.	
Lala Khan Chand ..	5th May 1922 to 24th November 1922.	
<i>The Junior Sub-Judge held charge from 25th November 1922 to 18th December 1922.</i>		
Diwan Sita Ram ..	19th December 1922 to 18th January 1923.	
Sardar Inder Singh ..	19th January 1923 to 30th September 1923.	
Lala Rala Ram ..	1st October 1923 to 14th April 1924.	
Sardar Inder Singh ..	15th April 1924 to 19th May 1925.	
Lala Har Dial ..	20th May 1925 to 5th April 1926.	
<i>Post vacant from 6th April 1926 to 31st May 1926.</i>		
Sardar Kartar Singh ..	1st June 1926 to 6th April 1927.	
Bawa Jhanda Singh ..	7th April 1927 to 27th March 1929.	
<i>Post vacant from 28th March 1929 to 1st April 1929.</i>		
Diwan Sita Ram ..	2nd April 1929 to 31st August 1929.	
G. E. Lewis, Esq. ..	1st October 1929 to 17th January 1930.	
<i>The Junior Sub-Judge held charge from 18th January 1930 to 31st January 1930.</i>		
Lala Rala Ram ..	1st February 1930 to 3rd May 1931.	
Sardar Sewa Singh ..	4th May 1931 to date.	

PUNITIVE POLICE POST IN JHANG DISTRICT.

***2148. Sayad Mubarak Ali Shah :** Will the Honourable Finance Member please state—

- (a) whether there is a proposal to place a punitive police post in certain villages of the sub-tahsil Lalian of the Jhang district ;
- (b) the names of those villages together with the number of criminal cases committed in each village during the last three years ?

The Honourable Sir Henry Craik : (a) No such proposal has been received by Government.

- (b) Does not arise.

RECRUITMENT TO POLICE DEPARTMENT.

***2149. Sayad Mubarak Ali Shah :** Will the Honourable Finance Member please state whether the Government is going to make some recruitment to the Police Department in 1933 to the posts of—

- (a) deputy superintendents of police ;
- (b) the inspectors of police ;
- (c) the sub-inspectors of police and the assistant sub-inspectors of police ; if so, the number of persons to be taken in each case ?

The Honourable Sir Henry Craik : (a) It is not yet known if a deputy superintendent of police will be recruited direct in 1933. It depends on casualties during the year.

- (b) Two inspectors will be recruited direct.
- (c) Ordinarily sub-inspectors are not now recruited direct. Eighteen assistant sub-inspectors will be recruited direct.

NOMINATION FOR SUPERINTENDENTSHIP, DEPUTY COMMISSIONERS' OFFICES, MULTAN DIVISION.

***2150. Lala Chetan Anand :** Will the Honourable Revenue Member please state—

- (a) whether all the candidates for the post of superintendent to the deputy commissioners in the Multan division are Muslims, and whether two additions have recently been made from the members of the same community ;
- (b) how many of the candidates at present on the register come from the commissioner's office, Multan, and how many from the district offices ;
- (c) whether it is a fact that the claims of an employee who was a non-Muslim with higher educational qualifications available at the time of making nominations of the last two candidates, were overlooked ;
- (d) the names of the non-Muslim applicants whose names were not accepted at the time of the last nomination ;
- (e) the educational qualifications of all the candidates on the list ;

- (f) whether it is a fact that of the two candidates recently nominated one is the Commissioner's head vernacular clerk, who was transferred to that office about three months ago and has been nominated as a candidate for the post of superintendent?

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

(b) Four from the Commissioner's office, three from the district offices and one outsider.

(c) No. His claims were not overlooked, but were not considered satisfactory.

(d) There was only one candidate named Lala Darbari Lal, stenographer, to Deputy Commissioner, Dera Ghazi Khan.

(e) Of the eight candidates on the list, four are matriculates, one is F.A., two are B.A.s, and one is B.A., LL.B.

(f) Yes.

TERMINAL-TAX; BHIWANI.

***2151. Lala Chetan Anand :** (a) Will the Honourable Minister for Local Self-Government be pleased to place on the Council table the papers regarding the imposition of terminal tax at Bhiwani?

(b) Is it a fact that the schedule of rates for taxation was prepared on the basis of the market rates prevalent in 1928?

(c) If so, will the Honourable Minister for Local Self-Government be pleased to state whether Government has considered the question of revising the schedule in view of the huge fall in prices of all commodities?

The Honourable Dr. Gokul Chand Narang : The honourable member is referred to the reply given to unstarred question no. 477.

BHIWANI MUNICIPAL COMMITTEE.

***2152. Lala Chetan Anand :** (i) Will the Honourable Minister for Local Self-Government be pleased—

(a) to inform the results of the application of the Executive Officer Act to Bhiwani Municipality; and

(b) to state whether Government is aware of the cases of misappropriation and destruction of Government records, etc., in the Bhiwani Municipal Committee?

(ii) Will Government be further pleased to state what action they propose to take on the same?

The Honourable Dr. Gokul Chand Narang : (i) (a) An inquiry into working of the Committee has been directed by Government.

(b) Allegations to this effect have been made.

(ii) Necessity of action will be considered in the course of inquiry mentioned in reply to (a).

Nazul LANDS AT BHIWANI.

***2153. Lala Chetan Anand :** Will the Honourable Revenue Member be pleased to—

- (a) place on the Council table all the papers concerning *nazul* lands at Bhiwani ;
- (b) state whether it is fact that memorials from the citizens have been received by the Deputy Commissioner, Hissar, stating that there are no *nazul* lands at Bhiwani ;
- (c) state how and when Bhiwani lands became the property of Government ; and
- (d) state whether it is a fact that the whole city is built on agricultural lands ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Attention is invited to the reply given to Council question no. 1844¹.

BHIWANI HIGH SCHOOL BUILDINGS.

***2154. Lala Chetan Anand :** Will the Honourable Minister for Education be pleased to state whether the work of the buildings of the Bhiwani High School will be taken up during the current financial year ; if not, when ?

The Honourable Malik Sir Firoz Khan Noon : The honourable member is referred to my answer to Council question no. 472².

PROVINCIALIZATION OF THE BHIWANI HOSPITAL.

***2155. Lala Chetan Anand :** Will the Honourable Minister for Education be pleased to state whether steps will be taken to provincialize the Bhiwani Hospital during the current financial year ?

The Honourable Malik Sir Firoz Khan Noon : The honourable member is referred to the reply to Council question no. 473² (unstarred).

HANSI-BHIWANI ROAD.

***2156. Lala Chetan Anand :** Will the Honourable Minister for Local Self-Government be pleased to state the approximate time when the road between Hansi and Bhiwani will be made fit for motor traffic ?

The Honourable Dr. Gokul Chand Narang : The honourable member is referred to the reply given to unstarred question no. 474³.

SUPPLY OF CANAL WATER AT BHIWANI TAIL.

***2157. Lala Chetan Anand :** Will the Honourable Revenue Member be pleased to state if it is fact —

- (a) that there is an irregular and low supply of canal water at the Bhiwani tail ;
- (b) that the supply is always cut off on the way, and that there are innumerable breaches every time ;
- (c) that full *abiana* is charged from cultivators and garden owners in spite of this irregular supply ?

¹Volume XXII, page 374.

²Volume XXII, page 396.

³Volume XXII, page 397.

The Honourable Captain Sardar Sir Sikander Hyat Khan : The honourable member is referred to the reply given to Council question no. 476¹.

RESIDENTIAL *IHTAS* IN COLONY TOWNS.

***2158. Lala Chetan Anand :** Will the Honourable Revenue Member be pleased to state—

- (a) whether the residential *ihatas* in colony towns like Khanewal can be used for shops ;
- (b) if not, what is the penalty for contravention of this rule ;
- (c) which officer of the Government is entrusted with the duty of reporting such misuse ;
- (d) whether residential *ihatas* Nos. 7—95 and 11—65 in Khanewal mandi are being used for shops ; and, if so, since when ;
- (e) the names of persons whose residential *ihatas* which are used as shops have been forfeited to the Government in Khanewal mandi ;
- (f) why the residential *ihatas* Nos. 7—95 and 11—65 have not been forfeited to the Government ?

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

(b) Under the conditions on which such sites are sold, the only penalty is forfeiture.

(c) The Collector, but he usually looks to the notified area committee to report cases.

(d) Yes ; each of the two *ihatas* is being used partly as a residence and partly as a shop since about 8 years and 1½ years, respectively.

(e) Guranditta Ram, Tirlochan Das.

Nihal Chand, etc.

Lakha Ram.

Sant Lal.

Sant Singh.

Piara Lal.

The first three of these sites were subsequently resold at an enhanced price to the same purchasers.

(f) Is under consideration.

LOCAL RATES IN COLONY TOWNS.

***2159. Lala Chetan Anand :** (a) Will the Honourable Minister for Local Self-Government be pleased to state if the notified area committee, Khanewal, is entitled to any share of the local rates ?

(b) If so, to what share of it ?

(c) What is the name of the person who has to collect the local rates ?

(d) Has this gentleman any relation as member of the notified area committee, Khanewal, and what is his name ?

[Lala Chetan Anand.]

(e) What are the amounts of local rate share that fell due to the notified area committee, Khanewal, for the several half years it has been in existence and how much has been paid to it in each half year?

(f) What steps have been taken to recover the same, and with what result?

(g) Has any part of the balance due on account of local rate share been written off; and, if so, under what circumstances and with whose authority?

(h) Will he be pleased to look into the file relating to the writing off of the sum and take any action to recover it?

(i) Did one Pir Shah file any complaint with the Deputy Commissioner of Multan and Superintendent of Police, Multan, regarding the non-payment of local rate share to the notified area committee, Khanewal, and requested prosecution of the defaulters; and, if so, what was its result?

(j) Is any officer of the Government bound to see that the notified area committee, Khanewal, receives its share of local rate; and if so, his official designation?

(k) What is the name of the officer who did not take any step to recover the said local rate share for the notified area committee, Khanewal, and did not care to take cognizance of the complaint of Pir Shah?

(l) What steps does the Honourable Minister for Local Self-Government propose to take to ensure the payment of the local rate share due to it for the past?

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

(b) Half the share from *kharif* 1919 to *rabi* 1923, and whole of it from *kharif* 1926—the assignment for the period *kharif* 1923 to *rabi* 1926 having been withdrawn.

(c) (i) Khan Haibat Khan, lambardar, for 89/10-R. and (ii) Dyal Singh for 88/10-R.

(d) Yes, Khan Sahib Farid Khan, a member, is a brother of the first named.

(e) A statement showing the half-yearly figures is appended.

(f) The Tahsildar, Khanewal, was requested to recover the balance, and he is taking steps to do so.

(g) Yes, a sum of Rs. 620-7-0 was written off by the notified area committee of Khanewal,—vide its resolution no. 9, dated the 26th June, 1928,—on the report of the lambardar and the recommendation of Lala Ram Sarup, the then Executive Engineer and a member of the committee. The auditors also confirmed this action of the committee by removing their audit objection.

(h) Further inquiries are being made.

(i) One Pir Shah filed an application with the Deputy Commissioner, Multan, but it is not known whether he submitted any to the Superintendent of Police as well. This man was called upon by the Sub-Divisional Officer, Khanewal, to produce evidence in support of his allegations, but he failed to do so, and the papers were accordingly filed.

(j) Yes, the Tahsildar of Khanewal.

(k) The assumption is not correct.

(l) The reply is the same as given to part (h).

DETAIL OF LOCAL RATE.

Name of harvest.	Amounts due.	Year.	Amounts realised.
	Rs. A. P.		Rs. A. P.
Kharif 1919	213 8 2	..	..
Rabi 1920	305 2 2	..	..
Kharif 1920	304 14 8	1920-21 ..	504 10 10
Rabi 1921	335 3 7	..	..
Kharif 1921	335 3 7	1921-22 ..	712 6 9
Rabi 1922	338 4 9	1922-23 ..	NIL.
Kharif 1922	337 14 1	1923-24 ..	273 18 3
Rabi 1923	341 2 10	1924-25 ..	400 0 0
Total ..	2,511 5 10	Balance written off.	1,890 14 10 620 7 0
		Total ..	2,511 5 10

Name of harvest.	Notes.	88/10-R.	89/10-R.	Year.	Amounts realised.
	Rs. A. P.	Rs. A. P.	Rs. A. P.		Rs. A. P.
Kharif 1926 ..	72 12 9	2 13 10	20 14 1	..	..
Rabi 1927 ..	72 15 0	2 9 11	20 6 5	..	..
Kharif 1927 ..	73 0 9	3 11 11	13 6 0	1927-28 ..	203 4 0
Rabi 1928 ..	74 12 9	3 6 6	11 12 8	..	..
Kharif 1928 ..	74 14 6	2 5 10	11 12 0	1928-29 ..	94 8 3
Rabi 1929 ..	88 5 1	2 15 9	22 11 0	1929-30 ..	62 0 3
Kharif 1929 ..	88 5 4	3 15 6	21 7 4	..	..
Rabi 1930 ..	88 5 0	6 11 0	29 12 3	1930-31 ..	85 0 0
Kharif 1930 ..	88 0 6	5 2 9	21 5 0	..	..
Rabi 1931 ..	88 0 6	4 5 11	17 5 10	1931-32 ..	236 5 0
Kharif 1931 ..	176 4 4	3 5 3	17 6 4	..	..
Rabi 1932 ..	176 6 11	5 7 6	30 13 7	1932-33 ..	337 2 0
Total ..	1,162 3 5	46 15 8	239 0 6	Balance ..	1,018 3 6 430 0 1

[Hon. Dr. Gokul Chand Narang.]

Out of the balance Rs. 480-0-1 a sum of Rs. 176-6-11 has to be transferred from District Board Local Rate fund to the Notified Area Committee Local Rate fund, and this will leave a balance of Rs. 253-9-2 only. Quite a large sum is due from persons living outside the tahsil.

BREACHES OF CONDITIONS OF BUNGALOW SITES IN COLONY TOWNS.

***2160. Lala Chetan Anand :** (a) Will the Honourable Minister for Local Self-Government be pleased to state the designation of the official who is to look to the interests of the Government as regards the buildings erected in Khanewal *mandi*?

(b) Will he be pleased to state the designation of the official of the notified area committee, Khanewal, who is to see whether the buildings put up in Khanewal *mandi* are in accordance with the plans sanctioned by the committee or not?

(c) When were the plans of bungalow Nos. 2 and 3 in Khanewal *mandi* approved?

(d) When were these bungalows actually completed?

(e) Who was the sub-divisional officer of Khanewal when the bungalows were completed?

(f) Did he care to see whether the Government did not suffer in any way by the building of these bungalows?

(g) Have not the windows and water spouts of out-houses of these bungalows been placed on the site on which Government land reserved for sites of other bungalows lies and thus the owners of bungalow Nos. 2 and 3 are gaining easements?

(h) Are these out-houses and bungalows in accordance with the plans approved by the committee?

(i) If not has any report been made by the official of notified area committee to the committee?

(j) If not, what is the name of this official, and how does the Government propose to deal with him?

(k) What action does he intend to take in this matter?

The Honourable Dr. Gokul Chand Narang : (a) and (b) Sub-overseer notified area committee, Khanewal.

(c) It is presumed that Khanewal town is meant.

Bungalow No. 2.

The first plan for the main building and out-houses was approved on 17th October 1924. The second plan for the main building only was again submitted and approved on 15th September 1925.

Bungalow No. 3.

The first plan for the main building and out-houses was approved on 30th August 1928. The second plan for the main building only was again submitted and approved on 27th July 1929. The third plan for the main

building only with a new design was again submitted and approved on 2nd May 1931.

(d) *Bungalow No. 2.*—Date of completion not traceable from the record.

Bungalow No. 3.—Completed at the end of July 1931.

(e) *Bungalow No. 2.*—Khan Sahib Mian Altaf Hussain.

Bungalow No. 3.—Khan Sahib Malik Abdul Haq.

(f) It cannot be said now whether the sub-divisional officer saw that the Government did not suffer in any way by the building of these bungalows.

(g) *Bungalow No. 2.*—A water shoot of the one end room of the out-houses has been placed on the side on which Government land is reserved for the site of other bungalows.

Bungalow No. 3.—Windows and water-spouts of the out-houses were kept towards the adjacent bungalow site not yet sold, but were removed and there is none on the spot now.

(h) *Bungalow No. 2.*—Neither the main building nor the out-houses have been constructed in accordance with the approved plans. Two rooms 18' x 15' and a verandah 31' x 9½' of the main building mentioned in the sanctioned plan have not yet been constructed. Two rooms have been added to the out-houses without any sanction.

Bungalow No. 3.—The main building has been constructed according to the approved plan, but two rooms each 10' x 12', have been constructed in the out-houses without obtaining sanction. The out-houses have been constructed in the south-western corner instead of along the west line, as shown in the approved site plans.

(i) Yes.

(j) and (k) Do not arise.

UNSTARRED QUESTIONS AND ANSWERS.

WATER MILLS IN SHAMILAT DEH.

540. Thakur Pancham Chand : Will the Honourable Revenue Member kindly state—

(a) whether it is a fact that the beds of Dehri stream at Kotla in district Kangra lie in *shamilat deh* ;

(b) whether it is a fact that the sect of people better known as *Jheewars* ply their water mills there ;

(c) whether it is also a fact that this sect of people do not hold any landed property nor are they land revenue payers in this *mauza* ;

(d) whether it is a fact that they have shifted their water mills in the *abadi* side this year ;

(e) whether it is also a fact that the local landlords and inhabitants have put in their grievances to the local authorities ;

(f) if the reply to (e) above be in the affirmative, what action was taken by the authorities, and what action Government proposes to take in the matter ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The beds of the stream lie partly in the *shamilat deh* and partly in *shamilat Tika Kotla*.

(b) Yes, as occupancy tenants in the *shamilat deh* and tenants-at-will in *shamilat Tika* of water-mill sites paying Rs. 5 per water-mill per year to the owners.

(c) Yes, with one exception.

(d) The sites for water-mills are not fixed and depend upon the course of the stream.

(e) Yes.

(f) As the water-mills do not endanger the village site and the landlords can eject tenants-at-will, no action has been taken and Government do not propose to take any action.

LAND REVENUE REMISSIONS IN BHIWANI TAHSIL.

541. Lala Chetan Anand : Will the Honourable Revenue Member be pleased to place on the Council table the figures of land revenue remissions in Bhiwani tahsil during the years 1927-28 to 1931-32 ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The attention of the honourable member is invited to the reply given to Council question no. 475¹ asked by Rai Bahadur Captain Rao Balbir Singh.

MISMANAGEMENT OF THE RAI BAHADUR BISSESSURLAL HALWASIYA CHARITABLE TRUST.

542. Lala Chetan Anand : (a) Will the Honourable Member for Finance be pleased to place on the Council table all papers regarding the application of one Mr. K. A. Desai and others before the Deputy Commissioner (Collector), Hissar, in connection with the mismanagement of the Rai Bahadur Bissessurlal Halwasiya Charitable Trust ?

(b) Will he be pleased to inform as to whether Government have approved of the sanction given by the Deputy Commissioner (Collector), Hissar, to the application ? If not, the grounds on which the sanction was refused ?

The Honourable Sir Henry Craik : A reference on the subject has just been received from the Commissioner of the Ambala division and is under the consideration of Government. I am not at present in a position to lay papers.

HUNGER STRIKE BY POLITICAL PRISONERS.

543. Lala Chetan Anand : Will the Honourable Finance Member please state—

(a) if it is fact that political prisoners confined in the old central jail, Multan, went on hunger strike in the year 1932 ;

(b) if so, the reasons that were stated to have compelled them to resort to hunger strike ;

- (c) how often hunger strike was resorted to as a protest against the attitude of the jail officials towards the prisoners ;
- (d) the maximum period of the hunger strike ;
- (e) how the last hunger strike was discontinued ?

The Honourable Sir Henry Craik : (a) Yes.

(b) and (c) (1) There was a hunger strike from 28th August 1932 to 3rd September 1932 as a protest against punishment awarded to some so-called political prisoners who had taken bamboos out of the roof of a shed in their enclosure and were practising " *galka* play " (i.e., *lathi* fighting) and in resentment of the enforcement of discipline.

(2) One went on hunger strike from 21st September 1932 to 24th September 1932 in sympathy with Mr. Gandhi ; one from 23rd September 1932 to 24th September 1932, and five from 24th September 1932 to 11th October 1932 for a similar reason ; five from 1st October 1932 to 11th October 1932 and three from 3rd October 1932 to 11th October 1932 in sympathy with those already on hunger strike.

(d) Seven days in the first.

Eighteen days in the second.

(e) Unconditionally.

PROFESSIONAL TAX LEVIED BY THE DISTRICT BOARD, MUZAFFARGARH.

544. Lala Chetan Anand : Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that the Hindu Sabha, Muzaffargarh, has sent a memorial to the local Government complaining against the assessment of the professional tax levied by the district board, Muzaffargarh, for the year 1930-31 ; if so ; what action the Government has taken on it ;
- (b) whether it is a fact that in the budget for the year 1930-31 an estimate of Rs. 8,000 was shown as income from the professional tax in the said local board ;
- (c) the total amount of the tax in the list finally settled by the board ;
- (d) if it is much in excess of the estimate whether Government intends to ask the local board to lower the rate of the tax ;
- (e) whether it is a fact that among other complaints one of the complaints of the District Hindu Sabha was that the list of the assesses for the year 1930-31 was prepared by the Secretary, District Board, and all the objections against the list were left to him for enquiry which were disposed of on his report ; if so, what direction the Government has issued to avoid this course in future ;
- (f) whether it is a fact that the District Hindu Sabha, Muzaffargarh, has asked the local district board to revise its budget of expenditure ;

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- (g) whether it is a fact that in the Muzaffargarh District Board, the Chairman, the Vice-Chairman and the Secretary and a large majority of the members and staff are Muhammadans ;
- (h) whether it is a fact that the rates of the tax sanctioned by the board are Rs. 2 per annum as professional tax in the case of Government and district board servants (including gazetted officers), while the servants of private persons and firms are taxed at the rate of Rs. 4, the shopkeepers at Rs. 4 and *sahukars* at Rs. 6 per annum? If so, does the Government intend to issue orders for the revision of the rates of tax so as to remove this invidious distinction?

The Honourable Dr. Gokul Chand Narang : (a) Yes. Enquiries were made but they disclosed no ground for action.

(b) Yes.

(c) Rs. 16,000.

(d) No. The mere fact of budget expectations having been exceeded does not call for interference.

(e) Such a complaint was made, but it was incorrect. For 1930-31 lists were prepared by the circle member, assisted by the Secretary, scrutinised by the tahsil sub-committees appointed by the board, and verified by the tahsildars and only confirmed by the Deputy Commissioner after the assessee had been given an opportunity to lodge objections. Such objections were inquired into by a retired local Hindu official on the spot, save in the case of the Alipur tahsil where this enquiry was made by the Secretary.

(f) Yes.

(g) Yes.

(h) Yes, the rates are correctly quoted, but it is under the consideration of Government whether Government servants are liable to the tax at all.

PRISONERS' AID SOCIETY.

545. Mr. E. Maya Das : Will the Honourable Finance Member please state whether the Government has given the Prisoners' Aid Society any financial help ; if not, why not?

The Honourable Sir Henry Craik : Government is considering the question.

HORSE, PONY AND MULE BREEDING SOCIETY.

546. Mr. E. Maya Das : Will the Honourable Minister for Agriculture please state what amount is granted annually by the Government to the Lahore, Amritsar and Ferozepore area Horse, Pony and Mule Breeding Society?

The Honourable Sardar Sir Jogendra Singh : The Punjab Government gave to the Society a yearly grant of Rs. 10,000 in 1926-27, 1927-28 and 1928-29 and of Rs. 6,600 in 1929-30, since when no grant has been made in view of financial stringency.

DEPRESSED CLASSES.

547. Mr. Mukand Lal Puri : Will the Honourable Revenue Member please state what classes of people in the Punjab have been included by the Government in the depressed classes, and what is the population of each of these in different districts according to the latest estimates or reports available?

The Honourable Captain Sardar Sir Sikander Hyat Khan : A provisional statement is laid on the table giving the information asked for.

124	12,557	10,578	27,174	6,717	21,999	11,672	398,807	1,440,750
...
28	Muzaffargarh	...	...	...	...	...	...	...

DEPRESSED CLASSES.

548. Mr. Mukand Lal Puri: Will the Honourable Revenue Member please state—

- (a) whether any further inquiries regarding the number of the depressed classes in the Punjab as recommended in paragraph 298 of the Franchise Report have been made;
- (b) if so, what are the final lists drawn up of the various castes which are classed as "depressed";
- (c) whether the Government intends to lay on the table the results of such inquiries, when ready?

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

(b) and (c) A list of depressed classes was submitted to Government of India which is laid on the table.

LIST OF UNTOUCHABLE TRIBES IN THE PUNJAB.

(Hindus only except Ad-Dharmis).

- | | |
|-----------------------|----------------|
| 1. Ad-Dharmis. | 14. Bhanjra. |
| 2. Bawaria. | 15. Chanal. |
| 3. Chamar. | 16. Dhanak. |
| 4. Chuhra. | 17. Gagra. |
| 5. Dagi and Koli. | 18. Gandhila. |
| 6. Dumna. | 19. Khatik. |
| 7. Od. | 20. Kori. |
| 8. Sansi. | 21. Nat. |
| 9. Sarera. | 22. Pasi. |
| 10. Marija (Marecha). | 23. Perna. |
| 11. Bangali. | 24. Sapela. |
| 12. Barar. | 25. Sirkiband. |
| 13. Bazigar. | 26. Megh. |
| | 27. Ramdasia. |

DEPRESSED CLASS VOTERS.

549. Mr. Mukand Lal Puri: Will the Honourable Revenue Member please state—

- (a) whether the Government has examined each of the schemes for giving to the depressed classes in the Punjab voting strength in proportion to their population as indicated in paragraph 815 of the Lothian Report;

[Mr. M. L. Puri.]

- (b) whether the Government will lay on the table the result of such an examination?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The question is under consideration.

- (b) Does not arise.

DEPRESSED CLASSES IN GOVERNMENT DEPARTMENTS.

550. Mr. Mukand Lal Puri : Will the Honourable Finance Member please state—

- (a) the total number of members of the depressed classes employed in each of the various departments of the Punjab Government ;
(b) the capacities in which they are employed with their grades of salaries ?

The Honourable Sir Henry Craik : The exact definition of the term " depressed classes " is still under the consideration of Government. The complete information asked for has not been collected : but as regards certain castes will be found in table XI, column VII, of volume XVII of the " Census of India " Report 1931.

RECRUITMENT OF DEPRESSED CLASSES TO GOVERNMENT DEPARTMENTS.

551. Mr. Mukand Lal Puri : Will the Honourable Finance Member please state—

- (a) whether there are any members of the depressed classes employed as policemen or as police officers ;
(b) whether there is any bar in the way of their being recruited to the police department ;
(c) if so, what ;
(d) whether there are any bars in the way of their employment in any of the Government departments ;
(e) if so, what ;
(f) whether the Government is aware that there are graduates, under-graduates and matriculates of these classes who have not been given any encouragement by being recruited or employed in the departments in which they applied for posts for which they were otherwise qualified ;
(g) whether the Government intends to take suitable steps for recruiting for its various departments qualified candidates belonging to the depressed classes ?

The Honourable Sir Henry Craik : (a) to (e). The attention of the honourable member is invited to the answer given to starred question no. 897¹ on the 1st December, 1931.

(f) and (g). The extent to which Government is making appointments is influenced by considerations other than personal merits is explained in the statement made in the Punjab Legislative Council on the 19th of July 1927 by the then Honourable Member for Finance and Government is not prepared to go beyond it.

REPRESENTATION OF DEPRESSED CLASSES IN LOCAL BODIES.

552. Mr. Mukand Lal Puri: Will the Honourable Minister for Local Self-Government please state—

- whether any members of any of the district boards, municipal committees, small town committees, notified areas, panchayats in the Punjab belong to the depressed classes;
- if so, which of these bodies have such members and what are the names of the latter;
- whether the Government has during recent years nominated any members of the depressed classes to be members of any of these local self government bodies;
- if so, whether the Honourable Minister will be pleased to inform the House of their names and those of the local bodies to which they were nominated;
- whether the Honourable Minister intends to nominate representatives of these classes as members of those bodies?

The Honourable Dr. Gokul Chand Narang: (a) Yes, except in the case of the *panchayats* and notified area committees, no member of any of which belongs to the depressed classes.

(b) The names of local bodies, and those of members representing depressed classes, are given below:—

I—DISTRICT BOARDS.

Serial No.	District Board.	Name of depressed classes' representative.	REMARKS.
1	Hoshiarpur	Master Ram Dass ..	Nominated by Government.

II—MUNICIPAL COMMITTEES.

Serial No.	Municipal Committee.	Names of depressed classes' representatives.	REMARKS.
1	Hissar	Chaudhri Nand Lal ..	An elected member.
2	Karnal	Chaudhri Sukh Lal ..	
3	Sadkhura (District Ambala) ..	Chaudhri Ramji Dass.	

III—SMALL TOWN COMMITTEES.

Serial No.	Small Town Committees.	Names of depressed classes' representative.	REMARKS.
1	Hidayatpur Chhasoni (District ..	Chaudhri Prem Singh.	
2	Gurgaon).	S. Shiv Singh Mandla.	
3	Mukerian (District Hoshiarpur) ..	M. Labhu.	
	Sultanwind (District Amritsar) ..		

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(c) Yes, one.

(d) Master Ram Dass, Principal of the D.-A. V. College, was appointed in November 1932, a member of the district board of Hoshiarpur.

(e) The Government is always prepared to consider favourably recommendations for such appointments.

DEPRESSED CLASS AGRICULTURISTS.

553. Mr. Mukand Lal Puri: Will the Honourable Revenue Member please state—

- (a) whether the Government is aware that large numbers of the depressed classes are engaged in actual cultivation of lands
- (b) what percentage of the depressed class population is so engaged and what is their estimated number in each district ;
- (c) which castes, if any, of the depressed classes are notified statutory agriculturists in different districts of the Punjab ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : If the honourable member will specify the castes, endeavours will be made to collect the information.

DISABILITIES OF DEPRESSED CLASSES.

554. Mr. Mukand Lal Puri: Will the Honourable Finance Member please state—

- (a) whether the Government have issued instructions to all their department to the effect that members of the depressed classes should be allowed equal rights and opportunities with others in regard to the use of common wells, springs and all places of public utility owned by or under the control of the Government ;
- (b) whether the Government is aware that the depressed classes are in many cases prevented from using public wells and springs, *serais*, etc., owned by or under the management of the local bodies ;
- (c) whether the Government has so far taken any steps to persuade or to suggest to all local self-government bodies that no such distinctions against members of the depressed classes should be allowed to continue ;
- (d) what measures, if any, Government intends to take for the removal of these and other disabilities to which the depressed classes in the Punjab are subject ?

The Honourable Sir Henry Craik : I regret the reply to this question is not yet ready. It will be supplied to the honourable member when ready.

The Honourable Sir Henry Craik (Finance Member): I propose, before describing the prospects of the year that commences on the 1st of April next, to follow my previous practice and to present to the House a brief commentary on the financial results of the year now drawing to a close. I will deal first with the Revenue account, i.e., with the ordinary receipts and the disbursements that have to be met from those receipts, and in doing so I desire to emphasize the fact that for the first time, since 1927-28, our ordinary receipts will more than cover our ordinary expenditure. For the first time in five years we have succeeded in living within our income. If our expectations for the few remaining weeks of the year are fulfilled—and I see no reason why they should not be—we shall end the year with a balance to the good of 25 lakhs, and to this extent be in a position to reduce the adverse balance of 148 lakhs on the revenue account that has accumulated since the initiation of the Reforms in 1921. This result has been obtained by the exercise of the most rigid economy, a subject to which I shall return later. It is in satisfactory contrast with the preceding year, 1931-32, when our expenditure exceeded our income, reduced as the latter was by huge remissions of land revenue and *abiana* by as much as 68 lakhs. It is the more satisfactory, in that the current year has been by no means a favourable year for agriculture, as there was a serious shortage of water in the rivers during the critical months from April to June and an almost complete and general cessation of the monsoon in August. These causes led to a substantial decline in the income expected from land revenue and *abiana* owing to the necessity of granting remissions on a considerable scale, but in spite of these adverse conditions we expect a total income of 1009 lakhs by the end of March, or 29 lakhs below the budget estimate and 48 lakhs better than the total revenue of the preceding year. The results under the detailed heads of revenue have been analysed in paragraph 9 of Mr. Puckle's Memorandum.

Turning now to the expenditure side of the revenue account for the current year, the budget presented to the Council a year ago anticipated a total expenditure chargeable to revenue of 982 lakhs, and we expect that actuals will be only 2½ lakhs in excess of that figure. Had it not been for expenditure that it was not possible to foresee at the time of the presentation of the budget amounting to over 82 lakhs, there would have been a substantial saving. Even as it is, we have by careful economies under practically every head reduced our expenditure to a lower figure than it has been since the Reforms, except during the two years 1923-24 and 1924-25 when the province was endeavouring to recover after two years of very heavy deficits. The savings and excesses under the various heads are comparatively small, and have been analysed in paragraph 10 of the Memorandum. It is not necessary for me to refer to them in detail here.

As regards the capital account of the year now drawing to a close, the total disbursements are expected to be 188 lakhs. This figure is some 81 lakhs more than was anticipated when the budget was framed, mainly because work on the Hydro-Electric project was speeded up and construction completed earlier than had been expected. The greater part of this capital expenditure, which is of course of a productive nature, will be financed by a loan of 150 lakhs, as in spite of the increase in extraordinary receipts from 27 to 40 lakhs, to which reference is made in paragraph 3 of the Memo-

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random, our financial position at the moment is not such as to justify the application of this sum to capital expenditure. I will explain later how we propose to deal with this unexpected windfall of 18 lakhs. The provincial loan account shows somewhat better results than we had anticipated, mainly owing to the amount of the advances having been considerably less than was expected when the budget was framed. Taking all the accounts together,—the revenue account, extraordinary receipts, the capital account, the provincial loan account, the famine relief, sinking and depreciation funds, etc.,—the year will close with a balance of 53½ lakhs.

It may interest the Council if I say a few words here regarding the financial position of the two projects to which during the last decade the greater part of our capital expenditure has been devoted. The construction estimate for the whole of the Sutlej Valley Project will be closed on the 31st of March 1933, and the total provincial share of the capital expenditure is estimated to be 940½ lakhs as against the project figure of 987 lakhs. There has thus been a saving of 46½ lakhs. This project is expected to produce in the current year nearly 86 lakhs of revenue, and this figure would have been higher had it not been that the sowing of cotton and other more valuable *kharij* crops was curtailed owing to the low supply in the river at the time of sowing. The area under the present *raté*, however, shows an increase over that of last year. I am glad to say that working expenses have been substantially reduced. The cost of the general establishment chargeable to both capital and revenue, which was 20·16 lakhs in 1931-32, has been brought down to 17·62 lakhs in the current year, while for next year it is hoped to make a further reduction to just below 16 lakhs by reducing one circle and four divisions.

As regards the Hydro-Electric Project, the construction of this is now practically complete, including the trunk transmission line from Shanan to Lahore and the branch lines from Amritsar to Kartarpur and from Lahore to Ferozepore and to Lyallpur. This trunk transmission system has recently been tested and the branch transmission lines are about to be tested. A regular supply of energy should be available by the 1st of April next. The opening ceremony is to be performed by His Excellency the Viceroy at the Lahore Receiving Station at Shalamar on the 10th of next month. The expenditure on the construction of this project up to the end of the current year is estimated at 5½ crores, and for next year 48 lakhs is provided for the main scheme and 25½ lakhs for the completion of the various local distribution systems.

It will be appropriate if at this stage, before dealing with the budget for next year, I give the House some figures to illustrate the results of the economies effected during the last two years. Some time ago, I think in answer to a question put to me by an honourable member, I promised the House a statement showing in detail the action taken by Government on the recommendations of the Retrenchment Committee. I had hoped that that statement would have been available for the use of honourable members before now, but unfortunately my hopes have not been realised. It should, however, be ready within a few days from now. The Retrenchment Committee took as the starting point of its examination the budget figures for the year 1931-32. In that budget the total provision in the

revenue account for the departments whose expenditure the committee passed under review, was 1116 lakhs. The corresponding provision for the same departments for 1933-34 is 970 lakhs, from which we should deduct for purposes of comparison 14 lakhs for the total amount of increments earned since 1931-32, making a total provision of 956 lakhs. Thus the real retrenchment effected has been 160 lakhs on the revenue account alone apart from a large reduction in capital expenditure, as against 245 lakhs, which the Retrenchment Committee estimated would be the results of the adoption of their recommendations. Thus nearly two-thirds—to be precise slightly over 65 per cent.—of the retrenchments proposed by the Committee have already been put into effect. A few recommendations still remain to be considered.

Before dealing with particular departments, I would like to give some general figures to indicate the reduction made in various kinds of expenditure. The comparison is between the figures for 1931-32 and those for 1933-34.

(a) Officers' pay in the earlier year represented an expenditure of 169 lakhs. Next year the figure will be 136 lakhs, or a reduction of just under 20 per cent.

(b) Pay of establishment was 319 lakhs. This has been reduced to 301 lakhs.

(c) The total expenditure on travelling allowance, other allowances and honoraria, supplies and services and contingencies was 221 lakhs in 1931-32, but in each of the two subsequent years will be 184 lakhs, a saving of 17 per cent. The reduction in travelling allowance is due to a reduction in the rates allowed. The expression "Other Allowances and Honoraria" is somewhat misleading, as this head includes expenditure on items which cannot strictly be described either as allowances or as honoraria, e.g.—

- (i) Excise rewards to Government servants ;
- (ii) Cost of passages ;
- (iii) Section-writing charges ;
- (iv) Contract payments to Government treasurers for their establishment ;
- (v) The fees of pleaders and special public prosecutors ;
- (vi) The cost of railway warrants and the carriage of constabulary ;
- (vii) Police rewards ;
- (viii) Educational scholarships ;
- (ix) Board and uniform allowances to nurses in hospitals ;
- (x) Over-time in Government presses.

The saving under "Contingencies" is due to a very thorough scrutiny of the innumerable miscellaneous sorts of expenditure which are incurred in almost every office, such as the pay of menials, the supply of books and periodicals, charges for lighting, heating and the purchase of furniture, postal charges and the cost of telephone connections. A particularly noteworthy saving has been achieved under the cost of postage by the introduction of new rules regarding the despatch of letters. Although the charges made by the post office have been increased by 25 per cent., it has been possible not only to

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avoid any increase of expenditure under this head, but to reduce existing expenditure. In the offices of eighteen deputy commissioners alone the saving amounts to 30 thousand rupees a year, and this of course is but a fraction of the total number of Government offices.

I will now mention a few of the more important economies effected in individual departments. Under the Land Revenue head 428 assistant patwaris have been brought under reduction. Under "Forests" one post in the Indian Forest Service, seven posts in the Provincial Forest Service, thirty-three posts of deputy rangers and foresters, and ninety-four posts of forest guards have come or are coming under reduction. The question of the abolition of ten more Indian Forest Service posts has been referred to the Secretary of State. In the Irrigation Department the cost per acre for repairs and maintenance and establishment has been brought down to the figure recommended by the Retrenchment Committee. One post of superintending engineer, three posts of executive engineer, ten of sub-divisional officers, and forty-three temporary assistant engineers have been or are being brought under reduction, while one appointment of Under-Secretary and one of Assistant Secretary are being held in abeyance. Fifteen canal dispensaries have been closed. Under the head of General Administration, twenty-six posts of extra assistant commissioner have been reduced. The general cost of district administration has been lowered by about 6½ lakhs. An officer is now on special duty to examine the possibility of reductions in the strength of the staff of deputy commissioners' offices. Similarly under the head Administration of Justice substantial economies have been effected in the cost of the High Court and subordinate courts, while the salaries of public prosecutors and the fees paid to legal practitioners specially engaged have been reduced. Under the head Jails it has been possible to make a saving of over two lakhs on the diet charges of prisoners and on hospital charges. In the case of the Police the state of the province has unfortunately not made it possible for Government to accept the recommendations of the Retrenchment Committee for a reduction in cost by 15 per cent., but continued efforts are being made to keep the expenditure as low as is compatible with the maintenance of efficiency. Under Education there has been a saving of 1½ lakhs in the cost of European and Anglo-Indian education. The grants to the University have been reduced by seventy thousand rupees, expenditure in Government arts colleges by 12 per cent. and that in Government professional colleges by 16 per cent. There has been a large saving in the cost of grants for secondary education, and expenditure on primary education has also been reduced. Under the heads Medical and Public Health grants have been reduced by 12½ per cent., and there have been large savings under "Supplies and Services" and "Contingencies." A committee is to assemble shortly to go into the expenditure of four of the principal medical institutions. In the department of Agriculture the whole range of the activities of the department has been examined, and savings amounting to six lakhs have been made. The saving under the head Veterinary has been 1½ lakhs. The expenditure of the Buildings and Roads Branch of the Public Works Department has been reduced by no less than 43 lakhs, including the abolition of six divisions, nine sub-divisions, and the posts of Deputy Chief Engineer and Secretary to the Communications

Board. All staff employed on temporary terms has been discharged, the total savings on staff since 1931-32 being reported to be over 5 lakhs. The contribution to the Roorkee College and the provision for scholarships there has been reduced by nearly a lakh. Under the head Stationery and Printing there has been a saving of over 1½ lakhs by curtailment in the amount of printing and by changes in the quality of paper.

I hope the House will agree that this is a substantial tale of achievement, and that Government has made a real effort to scale down expenditure and to give effect to the recommendations of the Retrenchment Committee. That committee, which was entirely composed of members of this House, had a very laborious task to perform, but the honourable members who performed it have the satisfaction of knowing that their sacrifice of ease and leisure has not been in vain, and that they have performed work of real public value. That it has been possible to go so far in implementing their recommendations is due to the loyal way in which heads of departments have co-operated in what must necessarily have been in many aspects a most distasteful task.

The House will expect some information as to the intentions of Government in regard to the cut in salaries. The present position is that the 10 per cent. cut, which was introduced from the 1st of December 1931, is to remain in force till the 31st of March next, that is, for a total period of sixteen months. In the Punjab this cut applies to all Government servants, whether of the all-India, provincial or subordinate services, drawing salaries in excess of Rs. 40 per mensem, the only persons exempted being police officers below the rank of inspector and certain subordinate jail staff. The decision of higher authority, which applies to the all-India services, is that one-half of the cut is to remain in force after the 31st of March next, and at the same time the exemption hitherto enjoyed by persons subjected to the cut from the surcharges on income-tax and super-tax is to be removed. This decision, for which of course the local Government is in no sense responsible, will, as I have said, apply to all members of the all-India services under the control of the Secretary of State under whatever Government they are serving, and it has further been applied by the Government of India to the central services, i.e., the Railways, Posts and Telegraphs, the Customs, etc., under their control. The local Governments have, however, a free hand in regard to its applications to the provincial and subordinate services under their own control.

There were thus three courses open to local Governments. The first was to continue to apply to the services under their control the 10 per cent. cut in full. In that case the provincial and subordinate services would also of course have been liable to the surcharge on income-tax, as it is not in our power to grant any exemption from that surcharge. The second course was to impose on the provincial and subordinate services the modified cut, which must of course be accompanied by the surcharges on income-tax and super-tax, as has been done by the Secretary of State for the all-India services and by the Government of India for the central services. This course has, so far as my information goes, been adopted by almost all local Governments. The third course was to exempt the provincial and subordinate services from any form of cut, or at any rate to impose a smaller

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cut than 5 per cent. This is the course which, according to the newspapers, has been adopted by the Government of Madras.

Now, the first of these three courses may, I think, be ruled out of consideration at once. It would obviously be unfair to impose on the provincial and subordinate services a higher cut than is imposed on the all-India services which we have no power to modify. Such discrimination would obviously have been inequitable. The third course, namely, to relieve the provincial and subordinate services of any cut in pay, would have meant that the total saving effected by the local Government by the imposition of the 5 per cent. cut would have been reduced from about 16½ lakhs to about 8½ lakhs, thus reducing our estimated surplus of receipts over expenditure to a dangerously low figure. This course would also moreover have involved a vicious discrimination between officers belonging to different services but performing in many cases exactly similar functions, and it would also have introduced a similar discrimination between servants of the provincial Government and servants of the Government of India working in the Punjab.

The local Government have, therefore, decided after careful consideration to follow the example of the Government of India and of the majority of local governments, and to apply the 5 per cent. cut to all provincial and subordinate services to whom the 10 per cent. at present applies. Thus with effect from the 1st of April next all officers serving under the Punjab Government with the exception of the low paid officials who have been and will continue to be exempted from any cut, will have applied to them the 5 per cent. cut, which will be accompanied by a withdrawal of the exemption from the surcharges on income-tax and super-tax. The effect of this decision will, as I shall show, confer a considerable benefit on the lower paid officers,—a benefit which becomes gradually smaller and smaller as the rate of pay increases until in the case of the highest paid officers of all it is so small as to be practically imperceptible. I will give a few examples of this :—

- (1) An officer in receipt of a nominal salary of Rs. 5,000 a month, at present under the operation of the 10 per cent. cut, draws after deduction of income-tax and super-tax Rs. 3,810 a month. Under the operation of the 5 per cent. cut but with surcharges on income-tax and super-tax, he will draw Rs. 3,822 a month, or Rs. 12 a month more. The percentage of addition to his emoluments is less than $\frac{1}{4}$ of one per cent.
- (2) At a nominal rate of Rs. 4,000 a month the benefit is Rs. 25-10-0 a month, or a percentage of .64, i.e., less than $\frac{2}{3}$ rds of one per cent.
- (3) At Rs. 3,000 per month the amount restored is slightly over 1 per cent.
- (4) Officers drawing Rs. 2,000 per month profit to the extent of just over 2 per cent.,—a figure which is increased in the case of officers drawing Rs. 1,000 to just over 3 per cent. Those drawing Rs. 500 a month benefit by about 3½ per cent. and those drawing Rs. 250 a month by just over 4 per cent.

I now come to the incomes of under Rs. 2,000 a year which become for the first time liable to income-tax. Take the case of an officer drawing Rs. 160 a month or Rs. 1,920 a year. At present his net pay is Rs. 144. Under the 5 per cent. cut, but with the liability to income-tax he will draw Rs. 148-15-0, an increase of 3.1 per cent. The lowest income that will be liable to income-tax is that just in excess of Rs. 1,000 a year, or, say, Rs. 85 a month. At present an officer on this scale of pay receives Rs. 76-8-0 net. In future he will receive Rs. 79-2-0. Persons in receipt of less than Rs. 1,000 a year will receive the full benefit of the reduction in the cut, as they will not be liable to income-tax.

Thus the higher one goes in the scale of pay the less is the benefit conferred by the change till in the case of the highest paid officers, such as the Chief Justice and my colleagues on this bench, the benefit is so small as to be almost imperceptible. There may possibly be some consolation in the reflection that of the total amount which we have been called upon to sacrifice practically one-half will now go into the coffers of the Government of India instead of, as at present, into those of the local Government, but Punjab officials would probably prefer that if they must be mulcted, it should be for the benefit of the tax-payer of the Punjab.

In all these examples I have assumed that the surcharges on income-tax and super-tax will remain at the present figure of 25 per cent. At one particular point of the salary scale officers of the All-India services will actually be worse off under the new dispensation, as the reduction in the cut will make them liable to super-tax for the first time.

I will now deal with the budget for 1933-34. First of all as regards revenue receipts, we have to bear in mind that prices, though they have shown some recent improvement, especially in wheat, are still far from good, and owing to the shortage of water in the rivers and canals during the autumn the *roti* harvest must probably be below normal in area and in certain districts also in quality. Our estimate of receipts has therefore been framed with caution. Land revenue, for example, has been taken at just under 457 lakhs. This is the gross figure, and includes 178 lakhs to be credited to Irrigation. It is only about 9 lakhs better than 1922-23, which was a distinctly bad year, and 25 lakhs below the actuals of the good year 1925-26. As has been pointed out in the Memorandum, owing to the extensions of irrigation since the latter year the possible maximum of land revenue should in theory be considerably higher. Similarly Irrigation direct receipts at 422½ lakhs are cautiously estimated, and due allowance has been made for the unfavourable conditions prevalent at the time of *roti* sowings. Excise and Stamps account for 214½ lakhs, and we certainly should be able to work up to this, even assuming that there is no appreciable improvement in the economic situation. The total amount of revenue which we are budgetting for is 1054 lakhs, or 45 lakhs better than the revised estimate of the current year. This may be criticised as on the optimistic side, but I would point out that it is almost exactly midway between the revenue actually realised in our most prosperous year, 1925-26, and that of our worst year in the last decade, 1931-32.

On the expenditure side, the estimate of expenditure to be met from revenue is 1011 lakhs. This, as pointed out in paragraph 15 of the

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Memorandum, exceeds the current year's revised estimate by 26½ lakhs, but nearly the whole of this is represented by a diminution in the savings on account of the cut in pay by 16½ lakhs and by ordinary annual increments absorbing another 6 lakhs. Provision had also to be made on a considerable scale for the preparation of a new electoral roll in connection with the forthcoming Reforms. No provision has, however, been made for the actual holding of the first general election, as it is doubtful whether that will fall within the year. If provision is required, it must be made by way of a supplementary demand.

The Schedule of New Expenditure stands at 50 lakhs as compared with 24½ lakhs during the current year. As has been explained in the Memorandum, only a little more than half of this total represents real new expenditure, and the increase under this item is due partly to the necessity of increasing the very small provision made in each of the last two years for minor works, mainly owing to the fact that it is no longer possible or economical to postpone certain works, most of which are in the nature of repairs. The greater part of the non-recurring new expenditure—17½ lakhs out of 25½ lakhs—will be debitable to Capital. The largest items are the provision of a new Council Chamber to accommodate the enlarged Council which we may expect under the Reforms, and the reconditioning of the Khanki headworks of the Lower Chenab Canal, the latter being a matter of great urgency and vital importance to the revenues of the province.

As regards the Capital account, we have budgetted for an expenditure of 113 lakhs, which, I am glad to say, is very substantially lower than the amount actually spent in the current year. More than half this sum is required to finish off the Hydro-Electric scheme, and 48 lakhs represents payments still due to contractors for erection work actually completed. This should be the last year in which capital expenditure on a large scale will be required for this project, as only the local distribution schemes remain to be completed. Of the 26 lakhs of capital expenditure for irrigation works, the greater part is required for the reconditioning of the Khanki headworks, to which I have just alluded, and for protection works at the Islam and Suleimanke Weirs on the Sutlej Valley canals. On the receipt side we have budgetted for 30½ lakhs under extraordinary receipts, which during the current year gave us 40 lakhs. This is an item which it is difficult to forecast, and which is liable to considerable fluctuations from year to year. Our estimate is certainly on the cautious side. Part of these receipts we hope this year to be able to devote to capital expenditure, the balance of which will as usual be met by a loan from the Government of India.

There is one proposal which does not actually appear in the budget, but in regard to which I particularly desire to invite the comments of honourable members who may take part in the general discussion. To balance our accounts in the calamitous year 1931-32, when our expenditure exceeded our ordinary revenue by 68 lakhs, we had to take an extra advance of 28½ lakhs from the Government of India. This is, of course, an unproductive loan and is repayable in fifty instalments with interest at the high figure of 6½ per cent. We are, however, at liberty to repay this loan in the current year and during next year if we can do so. This loan must be regarded as a definite blot on our financial scutcheon, which should be wiped

off before we can consider ourselves in a state of approximate stability. It was taken, as I have said, for non-productive purposes. The rate of interest is very much higher than that now prevalent. It was in fact a case of out-running the constable. In the opinion of Government it is certainly advisable that we should repay this loan as soon as possible, for with the rate of interest falling it is bad finance to continue to borrow money at 6½ per cent. if we are in a position to discharge the obligation. Now, during the current year our extraordinary receipts amounted to 40 lakhs, thereby exceeding our expectations by 18 lakhs. Government proposes to devote 18½ lakhs out of the extraordinary receipts to the repayment of this loan before the end of the current year. This will leave a balance still outstanding of 15 lakhs, and this we propose to discharge during the forthcoming year by earmarking for the purpose the greater part of the proceeds of the 5 per cent. cut in pay, which is a purely temporary saving unlikely to be repeated in future years. I hope the House will agree that the course proposed is sound finance, not only on general principles but more particularly in view of the fact that we have a considerable provincial loan maturing during the course of next year, for which a conversion scheme will be necessary. If we are able to show investors that during this year and next year we have not only been able to live within our income, but also to repay a debt taken to tide us over a particularly bad time, this would certainly tend to improve our credit in the market and enable us to get the money we require at a lower rate of interest.

As I have said, I invite the comments of honourable members on this proposal during the course of the general discussion. It is probable, but by no means certain, that there may be a chance of discussing it during the demands for grants, but the head in question, viz., 21—Reduction or Avoidance of Debt, is for the greater part not votable, and I am not sure whether it would be in order to raise a discussion on this proposal when that grant is reached. I hope, therefore, that honourable members will find themselves in a position to signify during the general discussion that they approve the course proposed by Government.

The first paragraph of Mr. Puckle's Memorandum contains an estimate in general terms of the effect of four years' depression on the public finances of the province. Besides the inevitable decline in receipts under the heads which depend on the spending capacity of the population, Government have, more or less of necessity it is true but still deliberately, foregone an enormous amount of revenue. Since *harif* 1930 special remissions of land revenue and *abiana* have aggregated no less than 245 lakhs. In addition to this huge sum 25 lakhs of *taccavi* loans have been written off. In the colonies the obligations voluntarily assumed by persons, who had bought land at auction or who had tendered for temporary leases, have been lightened by a continuous series of concessions in regard to purchase and lease terms, which are estimated to have cost the State approximately 2 crores.

One result of the four years of depression, with the consequent intensive scrutiny of all Government expenditure, has been to make the basic position of the provincial finances clearer than it has ever been before. Recent budgets have provided for only such expenditure as is necessary to maintain the administration, in which term I include such services as education and medical relief which the State renders to its citizens, at its existing

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level of efficiency, and it has not been possible to make provision for expansion. The basic figure of expenditure on this principle may be taken at about 1020 lakhs. Assuming, first, a continuance of existing rates of taxation, secondly, a level of prices sufficiently high to enable the tax-payer to pay his dues to the State without the grant of special relief, and, thirdly, an average agricultural year, the basic figure for revenue receipts may be taken at 1050 lakhs. This figure will vary upwards or downwards according to the applicability of these three assumptions in any particular year. Our revenue has in the past been as high as 1189 lakhs, but has been as low as 9,61 lakhs. Taking the basic figure for revenue receipts at 1050 lakhs and that for what I have called basic expenditure at 1020 lakhs, there is a gap between the two of only 30 lakhs,—a gap which, as was shown in March 1928, can be closed by a single dust-storm, for it must be remembered that a reduction of one anna in the rupee of land revenue and water rates would mean a loss to the province of 55 lakhs. The inference to be drawn is that any increase in recurring expenditure, such as would be necessitated by the expansion of departmental activity, must await an unmistakable improvement in revenue receipts.

There is one other point which I should like to emphasize. It is clearly our duty to do our best to produce a position of stability before the introduction of the reforms, in order to give the new administration a fair chance. To do this we ought not only to clear ourselves so far as possible of the burden of non-productive debt, or, in other words, to liquidate our overdrafts, but we ought also to try to build up a reserve to meet the additions to expenditure which are bound to accompany the introduction of the reforms. The present time is therefore not a time when we can afford either to forego sources of revenue by reducing taxation, or to increase expenditure.

11. I cannot close my remarks without paying a tribute to the officers of the Finance Department, the fruit of whose labours honourable members have in their hands to-day in the shape of the budget with its Explanatory Memorandum. The Finance Department of the Punjab Government has indeed been fortunate in that throughout the year it has retained as its two principal officers such trusted and experienced servants as Mr. Puckle and Mr. Grindal. The year now drawing to a close is one that has called for unceasing vigilance and unremitting labour on their part, and the gratitude of the province is, I think, due to them for the improvement in our financial position, which I have to-day explained. In the case of Mr. Puckle the year has been a particularly arduous one, not only owing to the obligation to give effect to the various measures of retrenchment decided upon, but also because he has had for the last few months to do Mr. Staig's work in addition to his own. That he has managed to carry this double burden successfully and without disturbance to his usual equanimity has certainly surprised me, but he assumed it voluntarily in the interests of public economy. I am glad to think that Mr. Staig is shortly to return to us, and that the department is for some time longer to have his valuable assistance and his vigilant eye for possibilities of retrenchment.

I present to the House the Budget for 1933-34.

The Council then adjourned till 2 p. m. on Monday, 27th February 1933.

PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Monday, 27th February 1933.

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—

Col. D. P. GOIL, Inspector-General of Civil Hospitals.

SHORT NOTICE QUESTION AND ANSWER.

REDUCTION OF RAILWAY FREIGHTS ON FOOD GRAINS.

Mr. Owen Roberts : Will the Honourable Member for Revenue be pleased to state what has been the result of the representations made to the Government of India on the subject of the reduction of railway freights on food grains ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The Local Government addressed the Government of India in May, 1932, and during the summer a representative of the Local Government had an opportunity of meeting the Railway Board on the question. No reply to this Government's letter has, however, yet been received, and it is understood that the Government of India still has the matter under consideration. The Government of India is being reminded from time to time.

STARRED QUESTIONS AND ANSWERS.

CONSTRUCTION OF BUILDINGS IN COLONY TOWNS.

***2161. Lala Chetan Anand :** Will the Honourable Revenue Member be pleased to state—

- (a) if the purchasers of sites in Khanewal, Jahania, in Mian Chanun are bound to construct their buildings within any fixed period, and if so, within what period ;
- (b) the penalty imposed on those who do not put up buildings within the above period ;
- (c) whether any penalty was inflicted for breach of the condition to put up the building within the above period in the above towns ;
- (d) if so, the names of the owners of such sites and the towns and the dates when the building was to be completed and the date the penalty was imposed on ;

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(e) when were the sites for bungalows Nos. 2 and 3 at Khanewal purchased, and when were these bungalows to be completed, and were they actually completed ;

(f) whether any penalty was imposed in the above two cases, if not why not ;

(g) the reasons for the differential treatment meted out to the owners of these bungalows ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Yes. Eighteen months after completion of purchase.

(b) This varies with the requirements of each case.

(c) Yes.

(d) It is not usual to give names in answering Council questions. A statement is laid on the table.

(e) Purchased in December, 1925. Bungalows should have been built by June 1927. No. 2 was built in time. No. 3 was finished in July 1931.

(f) No ; the occupier of site No. 2 was given an extension.

(g) Each case is treated on its merits.

Statement of dhats confiscated for not erecting the building within the stipulated period.

Serial No.	Dhat No.	Year of auction.	Date of confiscation.
	KHANEWAL MANDI.		
1	3/33	1919	2nd November 1923.
	MIAN CHANUN MANDI.		
2	2/9	1918	2nd November 1923.
3	3/33	1918	Ditto.
4	6/22	1920	Ditto.
5	6/24	1920	Ditto.
6	6/25	1920	Ditto.
7	6/26	1920	Ditto.
8	7/24	1919	Ditto.
9	7/47 to 50	1925	8th October 1930.
10	8/23	1920	2nd November 1923.
11	8/26	1920	Ditto.
12	8/30-B	1920	Ditto.
13	8/38	1920	Ditto.
14	8/46	1920	Ditto.
15	8/53	1920	Ditto.
16	8/56	1920	Ditto.

Serial No.	Plata No.	Year of auction.	Date of confiscation.
JAHANIAN MANDI.			
17	3/9-A	1919	16th March 1922.
18	3/8	1919	Ditto.
19	3/17	1919	Ditto.
20	3/26	1919	Ditto.
21	3/44	1919	Ditto.
22	4/A, B, C	1919	Ditto.
23	4/2	1919	Ditto.
24	4/22, 23, 24	1919	Ditto.
25	4/25, 26, 27	1919	Ditto.
26	4/28	1919	Ditto.
27	4/58	1919	Ditto.
28	3/45-C	1919	Ditto.
29	3/36-A	1919	Ditto.
30	6/2	1917	4th June 1919.
31	Grain Market 2	1919	16th March 1922.
32	Ditto 3	1919	Ditto.
33	Ditto 4	1919	Ditto.
34	Ditto 25	1919	Ditto.
35	Ditto 26	1919	Ditto.
36	Ditto 27	1919	Ditto.
37	Ditto 28	1919	Ditto.
38	Ditto 29	1919	Ditto.
39	Ditto 30	1919	Ditto.
40	Ditto 31	1919	Ditto.
41	Ditto 33	1919	Ditto.
42	Ditto 34	1919	Ditto.

ENCROACHMENTS ON GOVERNMENT LANDS AT KHANEWAL.

***2162. Lala Chetan Anand :** Will the Honourable Member for Revenue be pleased to state—

- (a) which Government official at Khanewal is entrusted with the duty of taking action in cases unauthorised structures are put up on Government lands and encroachments on the same place ;
- (b) which official of the notified area committee, Khanewal, is entrusted with the duty of reporting unauthorised structures and encroachments in the town ;
- (c) whether any mosque was built near Gharibabad in Khanewal without any sanction on Government land ;
- (d) if so, whether the matter was reported by the notified area committee official to the committee or its president ; and if so, when ;
- (e) if no report was submitted, how the matter was brought to the notice of the president of the notified area committee and what action he took ;

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- (f) what action was taken against the notified area committee official whose duty it was to report the matter ;
- (g) what action was taken against the persons who put up the mosque ;
- (h) the names of the notified area committee official concerned and the president of the notified area committee at the time the mosque was put up ;
- (i) whether the Honourable Member will ask the Government official at Khanewal to look into the matter of unauthorized encroachments carefully and get them removed and report the same to the Government ;
- (j) how many mosques and prayer compounds exist in Khanewal *mandi* and since when ;
- (k) whether any report has been submitted by the notified area committee official or Government official in this connection ;
- (l) whether the Honourable Member proposes to take any action in the matter against the official concerned ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Sub-Divisional Officer, Khanewal,

(b) Sub-overseer, notified area committee, Khanewal.

(c) Yes.

(d) No.

(e) The matter was brought to the notice of the president by an article in a paper. A cutting of it is on the file but the name of the paper and the date of publication are not given on the cutting. The building was demolished.

(f) No action was taken.

(g) The same.

(h) Abdul Bari, sub-overseer, notified area committee, Khanewal, and Khan Sahib Malik Abdul Haq, Sub-Divisional Officer, Khanewal, and president, notified area committee.

(i) No action is necessary.

(j) There are two mosques built on land purchased from Government and there is no prayer compound.

(k) There was no other unauthorised mosque or prayer compound and hence no report was submitted.

(l) No action is necessary.

MEASURES AGAINST CORRUPTION.

***2163. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Finance Member kindly state—

- (a) whether it is a fact that the Deputy Commissioner, Jullundur, and the Commissioner, Jullundur division, are taking certain measures against corruption ;

(b) if so, the number of prosecutions launched in this connection and the punishment awarded in each case ;

(c) whether the Government intends to issue a circular letter to all commissioners and deputy commissioners drawing their attention to the urgent necessity of eradication of corruption in their respective divisions and districts ?

The Honourable Sir Henry Craik : (a) Yes.

(b) No prosecution was launched under criminal law, but departmental proceedings were taken in three cases, in which the persons concerned were dismissed from the public service.

(c) The honourable member is referred to the answer given to question No. 378¹ asked by Mr. M. A. Ghani in the November session of 1927. Government is still ready to consider any further practical methods which may be suggested.

ACTION OF MR. M. SHER NAWAB IN KASUR MUNICIPAL COMMITTEE MEETING.

***2164. Lala Gopal Das :** Will the Honourable Minister for Local Self-Government be pleased to state—

(a) if it is a fact that in the meeting of the Municipal Committee, Kasur, held on 10th October 1932, Mr. M. Sher Nawab, member of the said municipality, forcibly snatched the minutes book of the committee from the chairman of the meeting, as a result of which the business on the agenda could not be transacted ;

(b) if the reply to the above be in the affirmative, what action he proposes to take against the above named member ?

The Honourable Dr. Gokul Chand Narang : (a) For the date mentioned in the question a meeting of the committee had been announced, though the validity of the notice given of the meeting is open to doubt. The president and the vice-presidents were not present, and the number of members attending was not sufficient to form a quorum. It is understood that one of the members present attempted to make certain entries regarding the "meeting" in the committee's minute book. This was prevented by the member named in the question.

(b) There is no intention of taking action against the member named.

SCHOLARSHIP OF GIAN SINGH OF KOTLI NAWAB MIDDLE SCHOOL.

***2165. Sardar Sahib Sardar Ujjal Singh :** Will the Honourable Minister for Education please state whether it is a fact that one Gian Singh, son of Arjan Singh, who appeared from the Kotli Nawab middle school, in the open middle school scholarship examination, held at Gujranwala on 1st March 1932, secured marks to entitle him to a scholarship, but it has not been awarded to him on the plea that the change of his residence from a town to a village was not notified to the Education Department in time ?

The Honourable Malik Sir Firoz Khan Noon : Enquiries are being made. The information when received will be communicated to the honourable member.

ENQUIRY INTO ALLEGATIONS AGAINST M. RAHIM BAKHSH, VETERINARY ASSISTANT, NAWANSHAHR.

***2166. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that during the months of August and September last an enquiry was conducted by Mr. Handa with regard to certain allegations against one M. Rahim Bakhsh, veterinary assistant, Nawanshahr ;
- (b) whether any representation was made by certain *chamars* of the *ilaga* to Mr. Handa during the course of the enquiry containing allegations against the veterinary assistant ;
- (c) whether a number of tonga drivers also complained to Mr. Handa against the conduct of M. Rahim Bakhsh ;
- (d) the contents of the report made by Mr. Handa after completion of the said enquiry ;
- (e) the action which Government has taken thereon ?

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

(b) No.

(c) Yes.

(d) He was acquitted of all the charges.

(e) Does not arise.

ENQUIRY INTO ALLEGATIONS AGAINST M. RAHIM BAKHSH, VETERINARY ASSISTANT, NAWANSHAHR.

***2167. Chaudhri Muhammad Abdul Rahman Khan :** Will the Honourable Minister for Agriculture kindly state—

- (a) whether it is a fact that during the course of the enquiry conducted by Mr. Handa with regard to certain allegations against M. Rahim Bakhsh, veterinary assistant, Nawanshahr, a telegram was sent by one Khan Mohammad of Bernala Khurd to the Deputy Commissioner of Jullundur, alleging certain defects in the manner in which Mr. Handa was conducting the enquiry ;
- (b) if so, the action taken by the Deputy Commissioner on that telegram ?

The Honourable Sardar Sir Jogendra Singh : (a) Government has no information.

(b) Does not arise.

AUCTION OF FIREWOOD.

***2168. Mian Mushtaq Ahmad :** Will the Honourable Revenue Member please state—

- (a) whether while thinning the forest of Chichawatni and Khanewal for plantation, firewood was auctioned by the Divisional Forest Officer, Montgomery, in July last ;
- (b) whether the said Divisional Forest Officer auctioned the Multan Forest division wood at four annas per hundred cubic feet and recommended for the acceptance of this offer ;
- (c) whether a contractor, within a few days of the date of auction sent an offer of one rupee and twelve annas per hundred cubic feet for the total quantity of about 1,500,000 cubic feet of the same wood ;
- (d) whether any explanation was called for from the Divisional Forest Officer, Montgomery, as to why he recommended the for acceptance of such low rates ;
- (e) what explanation was given by him ;
- (f) whether the Government will lay the copy of correspondence which passed between the Conservator of Forests and the divisional officers concerned on the subject ;
- (g) if no explanation was called for, why was it not called for ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a)

Yes.

- (b) No.
- (c) Yes.
- (d) and (e) Do not arise.
- (f) No.
- (g) Does not arise.

COPYISTS IN DISTRICT ESTABLISHMENT.

***2169. Khwaja Muhammad Eusoof :** Will the Honourable Revenue Member please state whether the scheme regarding the appointment of copyists in the district establishment in the Punjab has been sanctioned ? If not, does the Government propose to sanction it in the near future ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : It is presumed that the honourable member refers to a proposal to appoint whole time copy clerks. This scheme has been abandoned.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Sir, may I draw your attention to the fact that several honourable members who have given notice of their questions are not present to-day. You are aware that it takes considerable time, labour and money to compile these answers and it is indeed regrettable that members are not present when their questions come up for reply in the House. I hope you will be pleased to draw the attention of the honourable members to the fact that information asked for in starred question has to be collected at considerable expense, and sometimes by telegrams.

Mr. President : The honourable members are aware, I presume, that answers to questions, whether they are asked or not and whether they are answered on the floor of the House or not, are printed along with the proceedings of the Council. The only disadvantage of not asking question is that supplementary questions cannot be asked. It is desirable, therefore, that members, in whose names questions stand should be present during the question hour.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I did not ask you to compel them to be present. I merely wanted to draw your attention to the fact that several members who are absent have given notice of starred questions. If they had no intention of being present they could have given notice of unstarred questions.

Mr. President : It is very desirable that members should be present at the question time. This is all I can say.

VOTING IN LOCAL BODIES.

***2170. Khan Bahadur Shaikh Din Muhammad :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether any rules have been laid down by the Government to provide for or regulate the voting by the official members or non-official nominated members of the local bodies in the election of their chairman or vice-chairman ;
- (b) whether it is permissible to a deputy commissioner to issue a whip to the official members or non-official nominated members to vote in a certain manner or to refrain from voting at all ;
- (c) whether under the provisions of the Government Servants Conduct Rules the official members of the local bodies are bound to vote as directed by the deputy commissioner or any other official member ?

The Honourable Dr. Gokul Chand Narang : (a) No.

(b) Yes, but he is not expected to do so except in cases of particular administrative importance.

(c) No.

WATER SUPPLY FROM LOWER CHENAB CANAL.

***2171. Sayad Mubarak Ali Shah (i)** Will the Honourable Revenue Member please state whether it is a fact—

- (a) that silt clearing has not been done of the *raybahas* Rakh Bhangu, Kakki and Frid Muhammad at the tail of Gojrah sub-division of the Lower Chenab Canal for a considerable time ;
- (b) that water supply is not sufficient at these tails and out of these minors one is to be closed for three days in ten days to supply sufficient water to the remaining two, this has been the practice since the last six months or so ;

(e) that the defect in (a) has been pointed out by the sub-divisional officer concerned and repeated requests have been made by him for money and the zamindars concerned have made several representations against the manner in which water is supplied (alternately) to the above said minors ;

(d) that the sowing season for the *rabi* crop has already commenced and the zamindars concerned are not getting sufficient water to sow their crop ?

(ii) If the answer to the above be in the affirmative, what steps does the Government intend to take to ensure better supply of water to the minors mentioned in (a) ?

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

No.

(b) The water-supply is not insufficient to irrigate the designed areas. The closures referred to were put into force at the request of the zamindars during times of short supply and not during full supply turns of the main branch.

(c) and (d) In view of the above replies this does not arise.

(ii) Does not arise.

WATER SUPPLY FROM LOWER CHENAB CANAL.

***2172. Sayad Mubarak Ali Shah :** (i) Will the Honourable the Revenue Member please state whether it is a fact—

(a) that there is a great paucity of water supply to the chaks Kamoka, Shikhana and Naulanwala, at the tail of the Mochi-wali distributary of the Jhang division of the Lower Chenab Canal ;

(b) that this fact has been brought by the zamindars concerned to the notice of the local officials several times, but nothing has been done to make better arrangements for the supply of water to these chaks ;

(c) that the sowing season for the *rabi* crop has already commenced and that if the present state of affairs continues there would be much less sowing in these chaks with the result that the Government would suffer considerable loss in land revenue and water rates in these chaks ;

(ii) will the Honourable Revenue Member please state whether Government intends to issue orders to local officials concerned for providing "Kacha Nal" outlets to enable the zamindars concerned to sow their *rabi* crop ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (i)

(a) The reply is in the negative.

(b) Improvements have been effected.

(c) Does not arise.

(ii) In view of the above replies the necessity for this action does not arise.

LANDS ON *ARZI KASHT*, IN MONTGOMERY DISTRICT.

***2173. Chaudhri Nazir Hussain :** Will the Honourable Member for Revenue please state—

- (a) whether he is aware that owing to insufficient supply of canal water and scarcity of rain, the tenants, who have taken Government lands on *arzi kasht*, for one year, in the Montgomery district, have suffered a great loss in the *kharif* crops and have also sown very little wheat and gram ;
- (b) whether the major part of every *arzi kasht* tenancy, though ploughed, has remained unsown for want of canal water ;
- (c) if answers to the above questions are in the affirmative, whether Government intends to save such tenants from ruin by—
 - (i) reducing their rent and
 - (ii) extending their leases by one year to enable them to sow the ploughed land ?

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

(b) No.

(c) Does not arise.

SHEIKH SIDDIQIS AND SHEIKH CHAUHANS OF KARNAL AND
AMBALA DISTRICTS.

***2174. Chaudhri Allah Dad Khan :** Will the Honourable the Revenue Member please state—

- (a) whether the Government has received a representation from the Shaikh Siddiqis and Shaikh Chauhans of some ten villages in the Karnal and Ambala districts, stating that they have followed agriculture as a profession from time immemorial, that they have got relationships with the Rajputs and that they can trace their descent from the Rajputs, and praying that they may be notified as agriculturists under the Alienation of Land Act ;
- (b) the conditions for being notified as agriculturists under the Alienation of Land Act ;
- (c) whether he is aware that the petitioners of the villages mentioned in (a) have greatly suffered from not being notified as agriculturists ;
- (d) if the answers to (a) and (c) are in the affirmative, the action Government intends to take in the matter ?

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

(b) Alienation of Land Act does not specify any conditions but the local Government takes into consideration, *inter alia*, the numerical strength of the tribe, area owned, and the area lost, in deciding applications for notification.

(c) No.

(d) Does not arise.

CHAUDHRI MUHAMMAD ASGHAR, INSPECTOR OF POLICE, KASUR.

***2175. Chaudhri Allah Dad Khan :** Will the Honourable Finance Member please state—

(a) whether an article entitled "a petition of the zamindars of Kanganpur village," published on page 8, column 1, and page 9, column 3, of the *Mashir-i-Haqiqi* newspaper of 15th November 1932, alleging that Chaudhri Muhammad Asghar, Inspector of Police, Kasur, has been taking with him to the villages concerned hundreds of horsemen and pedestrians in the course of investigation of criminal cases and making them feast on the slender resources of villages in his circle, has come under the notice of the Government ;

(b) if the answer to (a) is in the affirmative, whether the Government intends to make inquiry into the matter ?

The Honourable Sir Henry Craik : (a) No.

(b) Does not arise.

Chaudhri Allah Dad Khan : I should like to know whether the Government made any enquiries in the matter and if so, what was the result of the enquiry.

The Honourable Sir Henry Craik : The question was whether a certain article had come to the notice of Government and my answer was "no."

BUDHLADA MURDERS.

***2176. Chaudhri Allah Dad Khan :** Will the Honourable Finance Member please state—

(a) whether the letter of Secretary, Anjuman Imdad-ul-Muslimin, Budhlada, in the Hissar district, published on page 1 of the *Eastern Times* newspaper, dated 28th December 1932, has come under the notice of Government ;

(b) whether it is a fact that the Budhlada tragedy was the result of pre-arranged conspiracy ;

(c) whether it is a fact that some people of the town are harbouring the offenders ;

(d) the names of the police officials deputed to trace the offenders ;

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

The Honourable Sir Henry Craik : (a) Yes.

(b) and (c) The case is still under investigation and Government is not at present in a position to make a statement on these points.

(d) Names cannot be stated. The local investigations are under the immediate direction of two gazetted officers. Approximately 100 extra police are engaged in attempts to locate the suspected culprits and in other branches of the investigation. The whole operations are being closely supervised by the Inspector-General of Police and Deputy Inspector-General of Police, Eastern Range.

(e) Does not arise.

BUDHLADA MURDERS.

***2177. Chaudhri Allah Dad Khan :** With reference to my starred question above re Budhlada murders, will the Honourable Finance Member please state—

- (a) if the police officials deputed to trace the culprits at Budhlada in the Hissar district have failed so far to trace the offenders ;
- (b) if the answer to (a) is in the affirmative, the reasons therefor ;
- (c) if the answer to (a) is in the affirmative, whether the Government offered any rewards for the information leading to the arrest of the offenders ? If not, why ?

The Honourable Sir Henry Craik : (a) The culprits have not yet been arrested.

(b) Reasons cannot be stated. Government is satisfied that every effort has been and continues to be made to trace the case and to bring the culprits to justice.

(c) Rewards amounting to Rs. 3,000 have been announced.

Mian Nurullah : Can the Honourable Member say when these murders were committed ?

The Honourable Sir Henry Craik : I do not remember exactly.

GHAGGAR CANALS.

***2178. Chaudhri Allah Dad Khan :** With reference to my starred question No. 1565¹ asked on 8th November 1932, will the Honourable Revenue Member please state—

- (a) whether the Government has received a representation from the Zamindars Association, Ghaggar Canals, Sirsa, regarding insufficient supply of water from the Ghaggar canals ;
- (b) whether it is stated in the representation referred to in (a) that the Bikanor State has been getting from the Ghaggar canal more than 45 per cent. water to what it is entitled ;
- (c) whether it is also stated in the representation that they are not given any share in the flood water which is allowed to overflow the weir to Bikanor State ;
- (d) whether it is also stated in the representation in (a) that on account of excess of sand in the Weir at Otu which is not cleared, this weir cannot hold water more than 8 feet deep ;
- (e) whether it is also stated in the representation in (a) that most of their area under fluctuating assessment and much of that in permanent assessment have become *banjar* ;
- (f) whether it is also stated in the representation in (a) that the outlets of the British villages have been reduced in size by the canal officials ;
- (g) what definite proposals have been made by the Anjuman in the representation referred to in (a) ;

(h) whether it is also stated in the said representation that if the grievances of the zamindars are not redressed they will leave their villages for good ;

(i) what action the Government intends to take on the representation mentioned in (a) ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a)

Yes.

(b) Yes.

(c) Yes.

(d) Yes.

(e) Yes.

(f) Yes.

(g) (1) Outlets be enlarged according to area.

(2) In the path of Ghaggar from Otu *thokars* should be constructed in order to bring the level of the water equal to the surface of the land.

(3) Their due share of water should be ensured by a suitable *warabandi* system or some other system.

(h) Yes.

(i) The reply to this part of the question is not yet ready. It will be conveyed to the honourable member when ready.

***2179. Cancelled.**

NAHRIANWALA RAJBAB.

***2180. Chaudhri Riasat Ali :** Will the Honourable Revenue Member please state—

(a) whether it is a fact that Muan Minor and tail *rajbah* Nahrianwala in the sub-division Nanuana, tahsil Hafizabad, irrigate the lands of eight villages, viz., Walgan Chatha, Walgan Bakhsha, Walgan Rahja, Bahadur Wali, Tibbi Bhagoki, Muan, Moga Joriwala and Moga Chishtian ;

(b) the area so irrigated in *kharif* 1932 and *rabi* 1932 ;

(c) the area irrigated in 1927, 1928, 1929, 1930 and 1931, respectively ;

(d) whether it is a fact that there is an annual decrease in the area irrigated ;

(e) if so, the reason for this decrease ;

(f) whether it is a fact that the Nahrianwala *rajbah* runs along the Rakh Branch for about 6 miles and is lined by shisham trees throughout this length ;

(g) whether these trees check the proper flow of water on account of the fall of their leaves in the *rajbah* and give rise to the accumulation of silt ;

[Chaudhri Riasat Ali.]

- (h) whether this silt has ever been cleared in these years ; if so, when and to what extent ;
- (i) whether the zamindars of the *ilaga* have submitted repeated representations to get their grievances redressed ;
- (j) whether the Government proposes to take any action in the matter in the shape of clearing the silt and broadening the Nahrianwala *rajbah* ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) No, Muan Minor and tail Nahrianwala distributary only irrigates the following 4 villages :—

Muan, Chak No. 1, Bahadarwala and Taweli Wali East.

(b) The area irrigated in these villages was 468 acres during *khariif* 1932. That during *rabi* 1932-33 has not yet been finally measured. According to the initial record it is 896 acres.

(c) Acres irrigated.—

Year.	1927.	1928.	1929.	1930.	1931.
	Acres.	Acres.	Acres.	Acres.	Acres.
<i>Khariif</i> ..	744	772	649	504	566
<i>Rabi</i> ..	1,385	1,427	1,082	809	813

(d) Yes, since 1929 to the extent shown in (c).

(e) The decrease shown in (c) above is attributed to the rise of spring level which has led to a greater corresponding increase of *chahi* irrigation from 212 acres in 1927-28 to 1,653 acres in 1931-32.

(f) Yes.

(g) No.

(h) Does not arise.

(i) No, only few representations have been received.

(j) Silt in Nahrianwala distributary has been cleared recently and also on former occasions when necessary. The head regulator has been altered. It is not considered suitable to broaden the distributary.

PATWARIS IN AMBALA DISTRICT.

*2181. **Kanwar Mamraj Singh Chohan :** Will the Honourable Revenue Member be pleased to state—

- (a) how many candidates for patwarship there are in each tahsil of Ambala district ;

- (b) how many patwaris there are in each tahsil of that district who are over 55 years and 60 years of age respectively ;
- (c) the maximum period that a candidate has been made to wait in each tahsil of that district ;
- (d) whether the advisability of retiring old patwaris has ever been considered by the Government ?

The Honourable Captain Sardar Sir Sikander Hyat Khan :

(a) Ambala	..	..	..	14
Jagadhri	..	..	..	18
Rupar	..	..	..	18
Kharar	..	..	..	18
Naraingarh	..	..	..	14

Over 55 years of age. Over 60 years of age.

(b) Ambala	..	7	5
Jagadhri	..	4	1
Rupar	..	10	1
Kharar	..	5	2
Naraingarh	..	4	3

(c) Ambala	..	6 years	} These are averages which have been calculated on the figures for the last three years.
Jagadhri	..	6 years	
Rupar	..	7½ years	
Kharar	..	10½ years	
Naraingarh	..	6½ years	

(d) The attention of the honourable member is invited to paragraph 55-A of the Financial Commissioners' standing order No. 15 as inserted by correction slip No. 1222-S.-O., dated 17th March, 1932, which contains rules regarding the retirement of patwaris.

LOSS SUFFERED BY MUNICIPAL COMMITTEE, KASUR.

***2182. 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 suffered a loss on account of failure to realize the tax on goods imported by the contractors of hydraulic work at Kasur ;
- (b) if so, up to what amount ;
- (c) whether any action has been taken against the official who was responsible for the non-realization of the tax ?

The Honourable Dr. Gokul Chand Narang : The information is being collected and will be communicated to the honourable member when ready.

COMPULSORY RETIREMENT OF SHEIKH ABDUL AZIM, DERAJAT
CIRCLE.

***2183. Shaikh Muhammad Sadiq :** With reference to reply to Council question No. 1674,¹ part (b), asked on 10th November 1932, will the Honourable Member for Revenue please state—

(a) whether it is a fact that warnings had been issued to—

- (1) B. Jiwan Das,
- (2) B. Rup Chand,
- (3) B. Ram Singh,
- (4) B. Sahib Dayal, and
- (5) B. Sampuran Singh,

by the Superintending Engineer, Derajat Circle ;

- (b) whether it is not a fact that no warning is to be issued to a subordinate before giving him a chance to give explanation,—vide letter No. 04818/40-E. I., dated 12th September 1929, of the Chief Engineer ;
- (c) the number of warnings and the dates thereof which were given to Sheikh Abdul Azim by the Superintending Engineer, Derajat Circle ;
- (d) whether his explanation was taken in respect of the above mentioned warnings, if any ;
- (e) whether it is a fact that the subordinate in question was acquitted of the charge of inefficiency by the Superintending Engineer, Derajat Circle, on or about 20th August 1931, and was reinstated, and if so, why a notice of compulsory retirement for inefficiency was served on him on 28th September 1931, barely a month afterwards ;
- (f) whether it is a fact that according to rules and old established practice, a subordinate cannot be declared inefficient unless he is retried and given a chance to prove his efficiency in some other section ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Yes, as regards Ram Singh, Rup Chand and Sampuran Singh, and no as regards Jiwan Das and Sahib Dayal.

(b) No.

(c) Four on—

2nd March 1921.

13th November 1925.

17th May 1927.

22nd April 1931.

(d) Yes on each occasion.

(e) No.

(f) No.

EMPLOYMENT OF M. B., B. S. PASSED PERSONS.

***2184. Kanwar Mamraj Singh Chohan :** Will the Honourable Minister for Education be pleased to state—

(a) how many M.B., B.S. passed persons are engaged by the Government in the posts that were originally meant for sub-assistant surgeons ;

(b) how many M.B., B.S. passed persons are engaged by the various district boards in the Punjab in rural dispensaries ?

The Honourable Malik Sir Firoz Khan Noon : (a) Eight.

(b) Sixty-nine.

AGRICULTURAL INCOME.

***2185. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue please state—

(a) whether his attention has been drawn to a communication by Professor Brij Narain under the heading "Agricultural Income" which was published on page 8 of the *Tribune*, dated the 28th December 1932, and if not, whether he intends to send for it for perusal after the notice of this question has reached him ;

(b) whether the figures (apart from the conclusions drawn) quoted by the said professor with regard to (i) the average net income per acre in the nine districts mentioned in the communication and (ii) the results of cultivation in the 27½ acres Lyallpur District Farm, 802.5 acres Risalewala Farm and the 25 acres Montgomery District Farm are correct ;

(c) whether the average net income per family and per man for the 39 Government tenants in 1930-31 is correctly shown by the said professor in column 3 of the said communication ;

(d) whether it is a fact that regular and correct accounts are kept by Government officers under the orders of Government in respect of the three farms referred to in (b) above ;

(e) whether the Government will place a copy of the two tables referred to in (b) above on the table of the House ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Government has seen the article ; it is based upon a publication issued by the Board of Economic Inquiry, a non-official body for whose publications Government is not responsible. The Board also disclaim responsibility for the opinions expressed or conclusions reached by the investigators.

(b) and (c) The figures given are those of the investigator. Government has not made any inquiry to verify or check these figures.

(d) No. The Board of Economic Inquiry pays for the record of accounts. The author of the book is carrying on his investigation in his private capacity.

(e) A copy of the publication will be found in the library. I may also draw the attention of the honourable member to pages 91-92 and 100-108 of this publication. While it cannot be disputed that there has been con.

[The Hon. Capt. Sardar Sir Sikander Hyat Khan.]

considerable reduction in agricultural income in 1930-31 as compared with previous year a careful perusal of these accounts indicates that generally it is not the land revenue but the landlords rent which is the factor of importance.

Mian Nurullah : Was this enquiry conducted by the present Director of Agriculture ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : No.

CRIMINAL APPEALS FROM ROHTAK AND KARNAL DISTRICTS.

***2186. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state the number of criminal appeals to the Sessions Judge of Rohtak and Karnal and similar appeals to the High Court from the districts of Rohtak and Karnal in 1924, 1927, 1931 and 1932 and the number of jail appeals among them in the same years ?

The Honourable Sir Henry Craik : The information is being collected and will be supplied to the honourable member when ready.

UNSTARRED QUESTIONS AND ANSWERS.

DHARAMSALA OF LALA BIHARI LAL.

555. Kanwar Mamraj Singh Chohan : Will the Honourable Finance Member be pleased to state—

- (a) whether he is aware that there are about 10 *dharamsalas* in the area of the Ambala cantonment ;
- (b) whether it is a fact that all of them are exempted from the payment of house tax ;
- (c) whether it is a fact that all of them except the *dharamsala* of L. Bihari Lal near railway station are exempt from tenant taxes (water and scavenging taxes) ;
- (d) if the answer to (c) be in the affirmative, the reason for not extending the exemption to the *dharamsala* of Lala Bihari Lal as required by section 99 (2) (b) of the Cantonments Act (1924) ?

The Honourable Sir Henry Craik : (a) Yes.

(b) Yes.

(c) No. All buildings used as *dharamsalas* and for no other purpose are at present exempt from water and scavenging taxes. The quarters occupied by managers or servants of *dharamsalas* are not exempt from water and scavenging taxes.

(d) Does not arise but in any case section 99 (2) (b) would not apply as water and scavenging taxes are not taxes on property but are for services rendered.

RESIDENTIAL QUARTERS FOR INDIAN CLERKS.

556. Khan Bahadur Malik Muhammad Amin Khan : Will the Honourable Minister for Local Self-Government please state—

- (a) whether Government has built residential quarters for Indian clerks on Multan Road ;
- (b) whether the road in question is maintained by the municipal committee or Public Works Department ;
- (c) whether it is also a fact that the traffic on that road is extremely heavy and no sprinkling of water is done on that road ?

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

(b) The road in question is maintained by the Public Works Department.

(c) It is a fact that the traffic on this road is heavy. Only that length of road is watered which is within municipal limits.

EXTRA ASSISTANT COMMISSIONERS, SIALKOT DISTRICT.

557. Chaudhri Allah Dad Khan : Will the Chief Secretary to Government, Punjab, be pleased to state—

- (a) the names of the extra assistant commissioners posted to the Sialkot district who have completed their *three* years' term in that district and the dates on which their transfers will take place from that district ?
- (b) If the cases of their transfers have not yet been taken up, the reasons therefor ?

Mr. C. C. Garbett : (a) There is at present only one extra assistant commissioner on the Sialkot district staff who has completed three years and the question of his transfer will be considered when the interest of the public service requires it. There are no rules or orders expressly limiting the period of an extra assistant commissioner in a district to three years and in pursuance of the campaign for economy unnecessary transfers are being deliberately avoided.

(b) Does not arise.

RESEARCH WORK IN CATTLE FARM, HISSAR.

558. Lala Jyoti Prasad : (i) (a) With reference to the answer to my starred question No. 1953¹ asked on 21st November, 1932, will the Honourable Minister for Agriculture kindly supply information in connection with the details of researches or works of demonstrative value done by officers on cultivation side as asked for in part (d) of the question ?

(b) Has the Honourable Minister made sure that the duties of supervision of the Deputy Director of Agriculture, Hansi Farm, are confined only to the agricultural farm at Hansi and not to the agricultural farms in the whole of Ambala division and Ferozepore district ?

(ii) Will the Honourable Minister also lay a statement relating to the agricultural farms with their irrigated and unirrigated areas under the sphere of work of the Deputy Director of Agriculture, Hansi ?

The Honourable Sardar Sir Jogendra Singh : (i) (a) The honourable member is referred to the annual reports of the Veterinary Department.

(b) The Deputy Director of Agriculture supervises agricultural work in his whole circle.

(ii) A statement giving the information asked for is laid on the table.

Statement showing the irrigated and unirrigated areas of the Agricultural Farms in the Hansi Circle.

Serial No.	Name of the Farm.	Irrigated area in acres.	Unirrigated area in acres.
1	Hansi Agricultural Station ..	435.6	<i>Nil</i> .
2	Sirsa Seed Farm	135.25	156.43
3	Ferozepore District Farm	66.5	23.5
4	Karnal District Farm	74.97	14.57
5	Rohtak District Farm	52.0	38.43
6	Ambala District Farm	<i>Nil</i>	91.0
7	Gurgaon District Farm	21.16	67.5

N.B.—These figures represent purely cultivated areas and excludes area under buildings, roads, khals and banjars &c.

ASSISTANT SUPERINTENDENT, FODDER, CATTLE FARM, HISSAR.

559. Lala Jyoti Prasad : With reference to his reply to my starred question No. 1954,¹ part (d) asked on 21st November 1932, will the Honourable Minister for Agriculture please state—

- the duration of the course attended by the Assistant Superintendent, Fodder, in obtaining his certificates in Agriculture from Cambridge University ;
- in what year the certificate was obtained and after how many years of his joining the Government Cattle Farm, Hissar ;
- what certificate or diploma of the Punjab University is equivalent to the certificate held by the officer above mentioned ;
- during the tenure of his office, whether the Honourable Minister on the basis of the possession of a similar or equivalent certificate as held by the Assistant Superintendent has ever recruited an officer in the subordinate, junior provincial and senior provincial services of the Punjab Agricultural Department ;

- (e) the reasons in detail of superseding Indians with English qualifications giving preference to our Assistant Superintendent, Fodder, having no academic qualification?

The Honourable Sardar Sir Jogendra Singh : (a) 10th July, 1930 to the 30th August, 1930.

- (b) 1930, 11 years.
(c) There is no equivalent.
(d) No.
(e) So far as I know, no Indians were superseded.

INDEBTEDNESS OF AGRICULTURISTS.

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

- (a) whether the Government is aware that agriculturists in the Ambala division have usually to advance loans to their ploughmen or stand sureties for them for the loans advanced to them in consideration of their agreeing to serve as ploughmen ;
(b) whether the Government is aware that very often these ploughmen leave their services without paying their debts and obtain engagements elsewhere leaving nothing from which the agriculturist may realise his debt ;
(c) what the Government intend to do in the matter ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) and (b) The Government have no information.

(c) The matter does not appear to be one requiring action by the Government.

PERSONS TRAVELLING WITHOUT TICKETS.

561. Rao Bahadur Chaudhri Chhotu Ram : Will the Honourable Member for Finance kindly state the number of persons produced before the courts in the Rohtak district in 1931 and 1932 as those who had been guilty of travelling without tickets and the number of the same in 1927 and 1928 ?

The Honourable Sir Henry Craik :

1931	..	..	..	..	..	177
1932	..	..	..	..	..	997
1927	..	..	..	..	..	289
1928	..	..	..	..	..	347

SALES AND MORTGAGES OF LAND IN ROHTAK DISTRICT.

562. Rao Bahadur Chaudhri Chhotu Ram : Will the Honourable Member for Revenue kindly place on the table of the House a statement showing—

- (a) the number of sales and mortgages of land in 1931 and 1932 in the four tahsils of Rohtak district separately ;

[R. B. Chaudhri Chhotu Ram.]

(b) the amount of land concerned in the transfers referred to in (a) and the total amount of money for which these transfers took place;

(c) the particulars referred to in (a) and (b) for the same tahsils separately in 1927 and 1928?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a), (b) and (c) A statement giving the required information is laid on the table.

Statement.

Name of tahsil.	Year.	MORTGAGES.			SALES.		
		No. of transactions.	Area transferred.	Consideration money.	No. of transactions.	Area transferred.	Consideration money.
			Acres.	Rs.		Acres.	Rs.
R. h. tak ..	1926-27 ..	1,100	2,830	5,00,155	197	647	2,28,725
	1927-28 ..	1,182	2,932	5,26,120	391	805	2,57,290
	1930-31 ..	1,235	2,807	4,90,339	276	624	2,18,632
	1931-32 ..	1,332	2,720	4,75,697	123	401	1,19,057
Jhajjar ..	1926-27 ..	1,226	4,259	5,25,556	442	1,731	3,89,599
	1927-28 ..	1,097	3,392	4,29,350	404	1,366	3,30,159
	1930-31 ..	1,346	4,103	4,44,106	387	1,346	3,42,652
	1931-32 ..	1,461	5,408	5,36,585	327	1,436	2,17,311
Gohana ..	1926-27 ..	743	2,421	4,27,602	123	381	1,22,990
	1927-28 ..	804	2,245	3,97,117	560	815	2,27,628
	1930-31 ..	1,001	2,219	3,93,139	116	361	1,46,088
	1931-32 ..	957	2,298	3,38,126	105	252	66,988
Sonapat ..	1926-27 ..	1,271	2,234	5,96,770	185	400	1,58,401
	1927-28 ..	1,224	2,115	5,26,931	94	267	85,841
	1930-31 ..	1,218	2,038	4,57,595	120	393	1,49,847
	1931-32 ..	1,094	1,837	3,94,296	99	237	77,373

SALES AND MORTGAGES OF LAND.

563. Rao Bahadur Chaudhri Chhotu Ram : Will the Honourable Member for Revenue kindly state the total number of sales and mortgages of agricultural land (excluding auction sales in the colonies) and the total amount of money for which these transfers took place in the province as a whole in 1927, 1928, 1931 and 1932, respectively?

The Honourable Captain Sardar Sir Sikander Hyat Khan :—

	1926-27.	1927-28.	1930-31.	1931-32.
Number of sales ..	87,001	72,305	64,871	66,316
Total sale price, Rs. ..	5 87,17,459	6,12,28,887	5,13,68,715	4,70,39,331
Number of mortgages ..	1,47, 14	1,54,900	1,44,791	1,55,760
Mortgage money, Rs. ..	6,18,29,672	6,21,61,659	5,63,20,330	5,21,09,860

PRICE OF AGRICULTURAL LAND.

564. Rao Bahadur Chaudhri Chhotu Ram : Will the Honourable Member for Revenue kindly place on the table of the House a statement showing the average sale price per acre calculated on the total sales of agricultural land in the province (excluding auction sales in colony areas) in 1927, 1928, 1931 and 1932, respectively ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Figures for the calendar years are not available. The figures for the agricultural years are as follows :—

1926-27 ..	..	..	..	..	244
1927-28 ..	..	..	..	..	261
1930-31 ..	..	..	..	..	268
1931-32 ..	..	..	..	..	247

AUCTION OF AGRICULTURAL LAND.

565. Rao Bahadur Chaudhri Chhotu Ram : Will the Honourable Revenue Member kindly lay on the table of the House a statement showing for the years 1925, 1926, 1927, 1928, 1931 and 1932, respectively—

(a) the total area of agricultural land sold by public auction in colony areas ;

(b) the average price per acre fetched by the auction sales referred to in (a) ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) and (b) The honourable member is referred to the answer given to parts (a) and (b) of Council question No. 1848¹ (unstarred) asked by him on the 26th November, 1929. No sale of land by auction took place in 1932. The statistics of sale held in 1931 are given below :—

Name of Colony.	Area sold in acres.	Average price per acre.
	Acre .	Rs.
Lower Bari Doab Colony, Montgomery ..	1,004	266
Lower Bari Doab Colony, Multan ..	609	223

SUTLEJ VALLEY PROJECT.

566. Rao Bahadur Chaudhri Chhotu Ram : Will the Honourable Revenue Member kindly state—

(a) the total amount spent on the Sutlej Valley Project so far, excluding the amount spent on repairing damage caused by floods;

(b) the total amount spent on repairing the damage caused by floods to the various works included in the Sutlej Valley Project?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The total capital expenditure on the Sutlej Valley Project to 31st March, 1932, exclusive of the capital expenditure incurred on account of damage to the Islam Weir in 1929 has been Rs. 20,63,28,659. Expenditure amounting to Rs. 18,09,768 against XIII—Revenue was also incurred in the years 1929—31 on account of the re-construction of the Islam Weir.

(b) It is not possible to separate the total expenditure each year on maintenance of headworks as due to floods or other river conditions.

SUTLEJ VALLEY PROJECT.

567. Rao Bahadur Chaudhri Chhotu Ram : Will the Honourable Revenue Member kindly state the total expenditure incurred so far on the Sutlej Valley Project and the percentage of return on the capital so spent in 1927, 1928, 1929, 1930 and 1931?

The Honourable Captain Sardar Sir Sikander Hyat Khan : A statement is placed on the table giving the honourable member the information he desires.

Statement showing Capital Outlay to end of the years and percentage return during the years 1927-28 to 1931-32 on the Sutlej Valley Project (British).

Year.	Capital outlay to end of the year.	Percentage of return on the Capital during the year.
1	2	3
	Rs.	
1927-28	7,84,03,687	—4·64
1928-29	8,47,54,559	—3·56
1929-30	9,16,42,369	—4·20
1930-31	9,52,76,581	—3·76
1931-32	9,85,95,714	—2·46

MANDI HYDRO-ELECTRIC SCHEME.

568. Rao Bahadur Chaudhri Chhotu Ram : Will the Honourable Minister for Local Self-Government kindly state—

- (a) the amount of capital spent on the completion of the Mandi Hydro-Electric Scheme ;
- (b) the total amount of power to be generated by the Mandi Scheme ;
- (c) the amount of power for which custom has already been secured ;
- (d) the amount of return on the capital expected in 1933-34 ;
- (e) the estimated amount of return on the capital per year on market rates after the total power generated has been disposed of to customers ?

The Honourable Dr. Gokul Chand Narang : (a) The attention of the honourable member is invited to the answer given to Council question No. 2204.¹

(b) The amount of power to be generated will be proportional to the demand but subject to a maximum, on the basis of the existing works, of 154 million units at the Low Tension busbars of the power plant.

(c) The commercial results of the operation of the scheme will be published annually in the form of administrative accounts and administration reports. These will give similar details to those usually furnished by company managed electricity undertakings or those controlled by local authorities. It is not in the commercial interests of the undertaking to anticipate their publication.

(d) and (e) The attention of the honourable member is invited to Statement A of the Report of the Committee of Enquiry into the progress of the Uhl River Hydro-Electric Scheme, which contains a financial forecast. The year 1933-34 corresponds to the first year of operation. Copies of this report have been supplied to the Council library.

BHAKRA DAM PROJECT.

569. Rao Bahadur Chaudhri Chhotu Ram : Will the Honourable Revenue Member kindly state—

- (a) whether the negotiations with the Indian States concerned have been completed in respect of the Bhakra Dam Project ;
- (b) whether any meeting of the representatives of the Punjab Government and the Indian States concerned took place between now and the last sittings of the Council, and if so, with what result ;
- (c) when the final estimates with regard to the Bhakra Dam Project are expected to be completed and submitted to the Government of India for sanction ?

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

(b) The meeting took place on 30th November. The proceedings have been accepted by the representatives of the States present, and will now be forwarded to the Governments concerned for comment.

(c) This cannot at present be estimated.

REFERENCE TO LATE RAI BAHADUR LALA MOHAN LAL.

Mr. President : Gentlemen, it is with great pain that I have to acquaint the honourable members of the House with the sad and untimely death of our distinguished colleague, Rai Bahadur Lala Mohan Lal. I hope the honourable members will permit me to have a message of condolence and sympathy sent to the bereaved family.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) : Sir, I wish to associate myself on behalf of this House as well as my own behalf with the remarks that you have just made. By the death of Rai Bahadur Lala Mohan Lal, many of us have lost a valued friend and all of us an esteemed colleague and we should be grateful if you will kindly convey to his people our deep sense of sorrow and sympathy on his untimely death.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural) : Sir, on behalf of the National Unionist Party, I desire to associate myself whole-heartedly with the remarks that have been made by yourself and by the Honourable Leader of the House. Rai Bahadur Lala Mohan Lal was a very valuable member of this House. He was so sincere and earnest in his work that those who came into contact with him admired his qualities. It is a great pity that he should have died at a time when he was of great service to this country and this Council and when he would have been a strength to the party to which he belonged and to the House in general. I cannot express the deep sense of grief and sorrow that we all feel on the sad and premature death of our distinguished friend. I hope the message of condolence will be conveyed on behalf of this House to the bereaved members of his family.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : I wish to associate myself with the remark of my honourable colleagues. Rai Bahadur Mohan Lal was a distinguished member of this House, a good friend, an honest worker and a large-hearted public servant. We have lost in him a great citizen.

The Honourable Malik Sir Firoz Khan Noon (Minister for Education) : Sir, I heartily associate myself with what has been said of our friend, the late Rai Bahadur Mohan Lal and I think it will not be out of place to mention here that the Ministry of Health is particularly indebted for his generosity. He was always generous in giving donations very liberally in many public matters. He did one thing for his village which I think it is right for me to bring to the notice of the House, and that is that he presented water works to his little village in the Kangra district at a cost of Rs. 70,000 and His Excellency Sir Malcolm Hailey performed the opening ceremony. That is one of the many things which he has left behind as permanent marks for which his countrymen will be very grateful to him.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) : Sir, I rise to associate myself with what has been said by my honourable colleagues in this House. I had perhaps more opportunities of knowing Rai Bahadur Lala Mohan Lal intimately than many of my honourable friends. I worked with him in the Council for many years and I also came in contact with him in other spheres of life and I have also

been in a position to judge of his work as a municipal commissioner. He was not of very strong health and was particularly in bad health for the last two years or so. But in spite of his infirmities, he never failed to attend any meeting of any committee of which he was a member. In fact for his health he was an extremely active member. He came down from Simla, went to Kashmir, Chamba and other places wherever his business required his presence. He did not attend the meetings merely as a passive member but took a very active and keen interest in all discussions. I always found that he came prepared and took a most intelligent interest in the proceedings. As a municipal commissioner he has really left a mark in Simla and it is no exaggeration to say that he was one of the most popular municipal commissioners throughout the province and he lost no opportunity to serve his city, his community and his province. His name, I think, will always be remembered in Simla. In fact to many people Simla meant Mohan Lal as his house was always open to any visitor. He has left an excellent reputation for hospitality, for amiable manners, for cheerfulness and for his cordial relations with members of all communities. It is really a great loss to the community and to the province that Lala Mohan Lal has departed from our midst at this critical stage in our province. The National Reform Party is particularly poorer by his loss and they would on many occasions miss him and his sound advice.

Sardar Buta Singh (Multan division and Sheikhpura, Sikh, Rural) : On behalf of the Sikh members I whole-heartedly associate myself with the remarks made by the previous speakers. This is not an occasion to make a very long speech but I wish you to send the message of condolence to the bereaved members of the family as soon as possible. The Sikh members also feel the pang of separation. They have always appreciated his amiable manners. The one quality which impressed me most was that he was a peace maker. I always found him to be the greatest peace maker in this Council. He tried his level best to bring round all the divergent elements in his own party as well as in the other parties. With these words I again associate myself with the remarks made by my colleagues.

THE PUNJAB WILD BIRDS AND WILD ANIMALS PROTECTION BILL.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) : Sir, I introduce the Punjab Wild Birds and Wild Animals Protection Bill.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Sir, I beg to move :—

That the Punjab Wild Birds and Wild Animals Protection Bill be taken into consideration.

In doing so, I request you to allow me to say a few words with regard to the history of this Bill. The object of the Bill, as is evident from the title and from the description of its aims and objects, is to protect the wild birds and wild animals particularly non-migratory birds which are in danger of being exterminated unless measures are taken to stop their becoming extinct. You are aware that this Bill has been before the House in one form or another for a considerable time. The House may not be aware that

[The Hon. Capt. Sardar Sir Sikander Hyat Khan.]

even before the original Bill was drafted the implications of this measure as a whole and of its various provisions were very carefully considered. For this purpose a conference of experts was convened in 1930, to advise Government on the various aspects of the measure. Thereafter the proposals made by this body of experts received careful and protracted consideration from Government. The existing laws of other countries on the subject were studied before the original Bill which was presented to this House in 1932 was drafted. You will remember, Sir, that that Bill of 1932 was published in the Gazette before it was introduced in this House and was thereafter referred by the Council to a select committee of the House. The select committee held its meetings during the course of last summer in Simla—protracted meetings—and after very careful consideration and prolonged deliberations submitted a report which was presented to this House. Subsequently certain technical hitches arose. It was found that the sanction of the Governor-General was necessary before the Bill could be considered by this House, and therefore with your permission I withdrew the original measure, and applied for the previous sanction of the Governor-General. Meanwhile I took the opportunity of consulting non-official members, during the last session of the Council, and an informal conference was held while we were awaiting the sanction of the Governor-General in Council. In the course of these informal discussions various suggestions were made which have been incorporated in the present Bill. The most important change in the new Bill will be found in the clauses relating to punishment for offending against the provisions of this measure. Fine has been substituted in the place of imprisonment in both clauses. Various other provisions of the Bill have also been altered or modified to meet the wishes of non-official members expressed at the conference. I was therefore not a little surprised when I received notices of amendments, and of dilatory motions from two honourable members. In particular, the motions emanating from the honourable member from Ambala who was a member of the select committee and who signed its unanimous report.

Chaudhri Allah Dad Khan : Is the honourable member justified in making these remarks before I move my motion ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I am not now trying to oppose the circulation motion. I will do so when the time comes. I am now merely trying to give the history of this Bill.

The select committee reported among other matters that the Bill did not need republication. I was, therefore, naturally surprised to find that he had not only sent in a motion for circulation of the Bill for eliciting public opinion, at this stage when it has been before the public for over a year now and before this House for over twelve months, but has also sent in a sheaf of amendments which are diametrically opposed to the proposals which the original Bill contained and which he had accepted in the select committee. Anyhow I do not wish to stress this point further. When the honourable member moves his motion I will have an opportunity of meeting it. The honourable members must have noticed that the Bill in no way seeks to hamper legitimate sport. It merely aims at placing a check on those unscrupulous shikaris who disregard the close season, and

the professional snarer and netter who play havoc with our wild birds. You will remember that an advertisement appeared in one of our leading papers about two years ago in which a neighbouring Indian State called for tenders for supplying ten thousand partridges. They did not want to deplete their own preserves in the State. Presumably all or almost all of these ten thousand partridges must have been supplied from this province, and unless we take effective measures to protect our wild birds this drain will continue and we will soon find that our indigenous birds are exhausted to the verge of extinction.

The honourable member from Amritsar who was also present at the informal conference held in November last saw me yesterday and suggested another change. I promised to give it my fullest consideration and asked him to give me in writing the wordings of the amendment which he proposed to move. I also promised that if the amendment did not materially affect the efficacy of the measure it would receive sympathetic consideration. With these words I commend the Bill to the House for consideration, clause by clause.

Mr. President : What amendment has the Honourable Member referred to ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I did not refer to any amendment. The honourable member from Amritsar made a suggestion to me yesterday and I was referring only to that suggestion.

Mr. President : The motion is :—

That the Punjab Wild Birds and Wild Animals Protection Bill be taken into consideration.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : Sir, I move—

That the Punjab Wild Birds and Wild Animals Protection Bill be circulated for eliciting opinion thereon by the 10th of May 1933.

In moving this motion I want to dispose of the casual remark made by the Honourable Revenue Member just now that I had signed the report of the select committee and still I have sent in a number of amendments and have also given notice of this motion for circulation.

Mr. President : The fact that the honourable member had signed the report does not estop him from moving the motion he has moved.

Chaudhri Allah Dad Khan : That is exactly what I was going to say. Even if I had signed the select committee's report I am not estopped from moving this motion. But I may tell him that I did put in my objections at the select committee stage but they were rejected by a majority. The Bill is such a measure that it should certainly be circulated for the purpose of eliciting opinion of those men whom it is intended to affect. It interferes in the first place with the private rights over property. Suppose I have a garden. Under this Bill I cannot catch a sparrow without obtaining a licence. I must first obtain the licence before I can catch any bird. My crops may be destroyed by the bucks and yet I cannot shoot them or catch them by means of snares or nets without first obtaining a

[Chaudhri Allah Dad Khan.]

licence. This is very strange and yet it is said that the Bill should be rushed through without those people knowing anything about it whom it is intended to affect and whose rights over private property it is intended to reduce. I dare say such a law does not exist in any civilized country. In England the game law does not apply to private property and generally applies to those lands which are in the possession of Government. It applies only during the close season. There exists already in the province a set of rules protecting these birds and animals during close season. Where then is the necessity to enact such a measure providing for imprisonment of several months and fine to the extent of Rs. 500 for killing for the second time of such a small bird as a parrot? It is very strange indeed and yet it is sought that this Bill should be pushed through without any thought about its provisions. The result of this measure, if it is put into operation, would be that it will produce friction amongst the peaceful villagers and townsmen. Whenever there are differences between people false cases would be concocted. A few birds will be killed and placed in the garden belonging to the man whom it is intended to implicate. There are any number of cases under section 411 of stolen property found in the man's cattle pen. Why cannot a case be concocted against a person for killing a bird or animal in his garden and then saying that he killed it? If it is intended to bring protection to animals and birds it is also necessary that the people who are to be affected by this measure should know what is being enacted for their benefit. The other thing is that it is undeniable that the Punjab Government is in the midst of a great financial stringency. If there is a surplus of a few lakhs in the budget that does not show that the budget of the Punjab Government is very sound and that it can spend a considerable sum of money on bringing this Bill into operation. In the first place the Government has curtailed those expenses which are absolutely essential for the upkeep of society, for instance, grants for education have been reduced and grant to the University has been reduced and that small sum which the prisoner used to get called pecule money has also been stopped for saving two lakhs of rupees. By these manoeuvres the budget has been balanced and a surplus has been shown. On the one hand we are doing away with things which are absolutely necessary and essential and on the other we are indulging in what I may call a luxury measure and which can only be enacted during the time of prosperity. (*A voice: it will not cost anything.*) No department of Government can be worked without money and if no money is to be spent, let the Honourable Revenue Member say so. But I am coming to the ways in which money would be spent. There will be no income at all. The income which is likely to accrue is already being derived under the rules about close season, and from licences and fees. If money can be had for this purpose, it is a very poor source of income and the experiment is not worth while trying. The Government should not have put this measure into operation at this time. The very indifferent way in which the Bill has been brought into this Council clearly shows that the Government is not serious about it. It was introduced in April 1932. A select committee sat over it and spent some weeks over it and then the Bill was brought into the Council but without saying anything further the Honourable Revenue Member withdrew it and stated

that it would be introduced on the 22nd of November. On that day he said that he had not received the sanction of the Governor-General which, he had come to know afterwards, was required. Look at the great amount of thought which the Government gave to it ! It brings a Bill into the Council but it does not know whether the sanction of the Governor-General is necessary or not. He then said that he would bring it up when he thought it would be possible. That clearly shows that the Government is not in a serious mood and now it wants that this Bill should be carried out in a single day without any opposition or discussion over it. This is not the time for putting this Bill into operation. Let us first deal with those things which are absolutely necessary for us. Finish the Bhakra Dam first which is most essential for the province. With these words I move my motion.

Mr. President : The motion is—

That the Punjab Wild Birds and Wild Animals Protection Bill be circulated for the purpose of eliciting opinion thereon by the 10th of May 1933.

Mr. Muhammad Din Malak (Lahore city, Muhammadan, Urban) : X
Sir, I rise to support this circulation motion. The Honourable the Revenue Member has kindly given us the history of the Bill and I may add a few words by way of my version of the history of the Bill before I come to explain its beauties and blemishes. It has taken almost a whole year and it has cost the provincial exchequer thousands of rupees to produce this puny measure. Indeed never did a mountain in labour produce a more ridiculous and a more despicable mouse. This Bill was introduced in the House in April 1932.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Not: this Bill.

Mr. Muhammad Din Malak : An identical Bill, Sir. An identical Bill was introduced in this House in April 1932, which was referred to a select committee and regardless of the financial stringency the meetings of the select committee were held in Simla. Early in the autumn session the Bill appeared on the agenda of the House, but after presenting the select committee's report the Honourable the Revenue Member realizing the volume of non-official opposition discreetly suspended proceeding further with the consideration of the Bill. A few days later when the Bill was again brought up, the Honourable the mover had to confess having completely forgotten to obtain the previous necessary sanction of the Governor-General. In hectic haste the previous sanction was applied for and obtained within less than a week's time. It was then that a new Bill—the Bill before the House—was drafted. It was introduced in the Council, but vacillation once more supervened presumably because the Honourable the mover was not yet quite sure of non-official support and wanted more time for canvassing.

The Honourable Captain Sardar Sir Sikander Hyat Khan : It was never introduced in the last session.

Mr. Muhammad Din Malak : It was introduced in the November session. Now, Sir, side by side with this Bill, there was another official Bill which was being piloted by the Honourable the Finance Member. But in spite of certain unpalatable provisions of the Criminal Law Amendment

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Bill, the House passed it readily enough for the very good reason that it claimed to protect the person and property of the people of the Punjab. In contradistinction with the objects of the Criminal Law Amendment Bill, the Bill now before the House, comically enough professes to protect the wild birds and wild animals of the Punjab, though for all practical purposes it seeks to protect the wild habits of the aristocracy of the Punjab, at the expense and to the great inconvenience of the public at large. One cannot congratulate the Honourable the Revenue Member for having lent himself to sponsor this Bill. According to most eminent jurists class legislation is the worst type of legislation, and yet it is essentially this and nothing more nor less. It is a misnomer to call it the Punjab Wild Birds and Wild Animals Protection Bill. It would be more correct to call it the Punjab Grandees Hobby Protection Bill.

Schedule 1, is the only schedule which contains the names of the birds and animals which the grandees of the Punjab would condescend to allow of being captured or killed by the common-folk. But even here the position of the rustic is not very safe or sure. In this schedule it is laid down that the common quail and the rain or black-breasted quail may be killed or captured without any licence. It is excluded from the operation of this Bill. These quails, specially the black-breasted, or the rain quail, is called 'bater', 'bara bater', 'china bater', 'khair bater', 'gagas bater' in the vernaculars of the province. But according to schedule No. 3 the blue-breasted quail, which also is called in the vernaculars of the Punjab as 'bater', 'bara bater', 'khaira bater', 'china bater', cannot be either captured or killed except under a licence and that too only to the extent permitted by the licence between the 15th of September and the 15th of May.

The Honourable Captain Sardar Sir Sikander Hyat Khan : To which item of the schedule the honourable member is referring now ?

Mr. Muhammad Din Malak : Quails, in schedule 3. It will be observed that while in the English names the two varieties are distinguishable by the colour of their breasts, in the Indian names no such distinction exists. Now, I ask, is that not setting up a trap, or a snare for the hapless and helpless rustic ? It would appear that the only safety for the common folk lies in not killing or capturing any variety of quail throughout the year !

I will give but one more instance and that from the animals enumerated in schedule 3. In schedule 3, it is laid down that the barking deer, called kakar or kakkar in the vernacular may not only be not killed without a licence but can be killed even under licence only during a specified period, and thereto you should distinguish between a male or a female. Now, Sir, I ask, is it to be seriously expected that a female deer should go up to the shikari with the supplication that as she belongs to the fair sex she is entitled to claim immunity from being killed ; or is it to be expected that the shikaries must be possessed of the sixth sense in order to enable them to distinguish from a considerable distance a male from a female ?

Shaikh Abdul Ghani : It is not very difficult.

Mr. Muhammad Din Malak : Again, Sir, these animals are commonly found in herds and granting that the shikari once in a way manages to ap-

proach near enough to the herd and conscientiously takes his aim at the male but actually kills a female. What is his position under the provisions of this Bill? Even this, that despite all his precautions he is in for trouble.

Nor can this Bill be justified on grounds of economy. Leaving aside the amateur shikari, a fairly large section of the people live on the sale proceeds of wild birds and wild animals. There are whole castes and clans such as *Machhi*, *Jhiwar*, *Chirimar*, *Mehra*, *Sammam mani*, *Jhabail*, and many others, who have inherited from the hoary past the profession of dealing in wild birds and wild animals; and by passing this Bill into law, you will be depriving them of their livelihood. Thrown out of employment they will simply swell the ranks of thieves, dacoits, robbers and high-way men.

Look at it from any point of view you like, but look at it with the spectacles of a commoner, with the spectacles of a man in the street and not with the spectacles of an autocrat or an aristocrat and you will agree that economically, politically, socially and morally this is a thoroughly bad Bill. (*Laughter*). You may laugh, because you are autocrats-cum-aristocrats.

It divides society into plebians and patricians. It makes a sharp division between the literate few who can observe to a nicety the dates when with reference to a certain schedule, this or that bird or animal with or without a licence may or may not be killed or captured, and the illiterate many who cannot, to save their lives distinguish between the end of 31st of August and the beginning of 1st September. It penalizes the poor who cannot afford to take out a licence, and puts a premium on the snobbery of the rich who can. It lays down that while the tiller, the cultivator,

3 P.M.

the owner of the land may not and shall not capture or kill wild birds and wild animals on his own land even for the legitimate purpose of protecting his crop from their depredations, he shall yet be bound to feed and preserve them for the gratification of the game instinct of the aristocracy. While the statesmen and politicians in other countries, even in other provinces of India are engrossed in devising means to solve and surmount their political and economic difficulties it makes a sad commentary on the commonsense, on the sense of propriety, on the vulgar sense of the Punjabis that they should solemnly sit down to pass a games law as if they had nothing more serious to attend to except games and sports. Could light-heartedness, could levity itself go further!

It may be conceded that the urge, the ambition, the aspiration to do something which would ensure your name going down to posterity does at times prove too much for frail human beings to resist. Indeed mankind has recognised such an ambition to be a necessary evil, and therefore the desire to see your name appended to this or that enactment may be overlooked, connived at forgiven and within certain bounds even tolerated. But amateurish attempts which threaten to prove pernicious, unwholesome and irksome to a large section of the public must in all conscience be stoutly opposed. Being a piece of class legislation and pertaining, as it does pertain, to a pet hobby of the well-to-do, I have a shrewd suspicion that the gentlemen sitting on opposite benches must be in mortal love with it. Perhaps some of the honourable members, the occupiers of the opposite benches, are feeling rather impatient to register their vote in support of this

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measure. But I would strongly appeal to the Honourable the Revenue Member to stay his hand and to kindly withdraw this Bill or at any rate suspend his activities in this direction for the short space of another year, that is, until the advent of provincial autonomy. If without this exhibition of the grand-motherly affection for the wild birds and wild animals of the Punjab, if without the meddlesome protection offered by this Bill to the wild animals and the wild birds of the Punjab, they have managed to survive to this date, they can be depended upon to take care of themselves during the next few months. Anyway this measure does not involve the question of law and order and therefore it can wait for a few months. And where is the harm if this Bill is circulated : in fact I think its circulation is essential, because as I have already shown and shown convincingly I venture to think, it adversely affects the interests of a very large section of the population.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) : Sir, I rise to oppose this motion. As has been pointed out by the honourable member this piece of legislation has been before the country for about a year. It has been discussed in the press, it has gone through a very careful examination in the select committee appointed by this House of which as far as I know the previous speaker was a member. Not only that, but the Revenue Member who is in charge of this Bill, very kindly called during the last session a conference of several members of this House who were interested in the Bill, to confer with him privately with a view to improve it. I was not a member of that conference, but I know that it did sit for some time and examine the Bill very thoroughly.

Then again, this Bill was sent to the members sometime ago and they have had enough time to consider all the *pros* and *cons* of it. I really cannot understand what object there is in the motion and how the postponement of the legislation is going to benefit anyone. I would submit that the Punjab Council has failed in its duty in ignoring to give protection to these tongueless and poor birds and animals. Something should have been done long before this to protect the lives of these innocent creatures. I would also say that there is hardly any civilised country in the world where such laws do not exist. I cannot understand why both my friends who preceded me do not really understand the difficulties of the rural areas, which would really welcome such a legislation. We are absolutely tired of these shikaries that go in and out of season into the fields and kill ruthlessly all the birds, irrespective of the fact whether they are useful for the agriculturist or otherwise. I would assure the members of this House that this legislation would be welcomed by all the poor zamindars on whose behalf the last speaker spoke so vehemently. He said that the Bill was in the interests of the rich and not of the poor zamindars, but I, as their representative, would like to assure him that it will be welcomed by the poor people who are simply waiting for some sort of legislation by which their fields can be protected from the raids of shikaries who go there in numbers in season and out of season. The members of the House know perfectly well that the licence fee for guns in the last few years has been increased. That is a good thing and I would like a further increase and there should be some restrictions also placed on their use. If this Bill is passed, the restrictions will be very wholesome.

Then a point was raised that money has been spent and that more money will be spent if this measure is passed. I do not understand how any economy is going to be effected if the Bill is not passed.

Then again, my friend made a very big point that it would be difficult to make any distinction between a male and a female buck. That only shows his ignorance. I suppose he has never been out shooting, otherwise he would have never said such a thing. Any good shikari, any shikari who uses his gun can definitely tell a male from a female even from a great distance.

We are not discussing at the present moment whether the Bill is bad or good; this we will do when the Bill is considered clause by clause and when there will be time enough to make any changes in its provisions. The main question is whether we should go on with the consideration of the Bill at this stage or not. My friends who have preceded me have said that it should go before the public for eliciting public opinion thereon. I cannot understand whether this is only a dilatory motion on their part or whether they really think that the circulation of the Bill will serve any purpose. I can assure them that they can improve the Bill much better in this House than by circulating the Bill for public opinion. I would appeal to them not to put any more hindrance in the way of passing this Bill as we have already taken long enough time in protecting the poor birds. If there are amendments to move, let them move them and I am sure that if they are worth accepting the Honourable Revenue Member will accept them readily.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member): It is hardly necessary for me to meet the arguments of the honourable member representing Lahore city because they have been already dealt with very ably and fully by my friend the honourable member representing Lahore rural constituency. I am at a loss to understand what the honourable member has in view in asking for circulation of the Bill for the purpose of eliciting public opinion. The Bill was published in the Gazette twice once in February 1932 and again last November. If these two publications have failed to elicit any criticism from the public, I fail to see what purpose would be served by publishing it a third time. After publication the Bill was introduced in this House nearly twelve months ago and was referred by the House to a select committee. It is no use trying to oppose the underlying principle of the Bill at this stage. The honourable member if he was interested had ample opportunities of furnishing his views to the select committee, who would have, I have no doubt, given due consideration to his suggestions. One of his criticisms was to the effect that we had spent thousands of rupees on the preparation of this measure,—which of course is quite wrong,—but he went on to suggest in the same breath that we should spend more money in republishing the Bill in the Gazette. He conveniently overlooked the fact that republishing meant reprinting of the Bill, which is the biggest if not the only item of the expenditure involved in placing a legislative measure before the House. I am sure the House will agree with me that it would be a sheer waste of money to republish the Bill a third time.

Then, Sir, the honourable member objected to the period of closure. Here again he was labouring under a misapprehension. As a lawyer he ought to have known that these restrictions exist even now under the existing

[The Hon. Captain Sardar Sir Sikander Hyat Khan.]

Act and that we are not making any novel departure in this respect. The point which he particularly wanted to emphasise was that this measure would affect adversely certain classes who depended on netting and snaring for their livelihood. May I point out to him that the passing of the Fisheries Act which requires these very people to take out a licence for netting fish, has not only not affected them adversely but on the contrary has benefited them by eliminating poachers and prohibiting unauthorised persons from depleting the rivers and streams of fish.

I know that every one of us sympathises with the classes which he has mentioned. Every one of us wants to protect the interests of *machis*, *jhewars*, etc. But, as I have already said they will benefit most from this measure. I ask the honourable member, Sir, would their interests not suffer if the wild birds are allowed to be exterminated? This Bill will preserve for them their means of livelihood.

As regards the argument put forward by the honourable member for Ambala, I believe that he was either not serious in putting forward those contentions or else he has not taken the trouble to study the new Bill which, as I have pointed out, has been materially modified in some respects. In criticising the penal clauses he has been persistently denouncing imprisonment as a mode of punishment for offences under this act. If he would look carefully, he will find that there is no provision for imprisonment in the new Bill.

He also said that there was no similar law in any other country in the world. His appalling ignorance on this point has already been removed by my honourable friend the member for the Lahore rural constituency, and I merely endorse what he said, namely, that in practically every civilised country there are game laws.

As regards the financial aspect of this measure, he tried to make out that its enactment would cost Government a considerable sum of money. I can assure him that it will on the contrary bring in a little money, though nothing very much. That money will be utilised in giving effect to the provisions of this measure. But we are relying mainly on the co-operation and assistance of public-spirited gentlemen throughout the province for the working of this Act, because without such assistance this Bill will remain a dead letter.

Chaudhri Allah Dad Khan : I want to say only one or two words by way of reply.

Mr. President : Has the honourable member a right of reply?

Chaudhri Allah Dad Khan : Yes, I believe so. I have moved a motion and I therefore have a right of reply.

Mr. President : No. The relevant provision of the Constitutional Manual is Article 64 (3). It reads as follows :

A member who has moved a motion may speak again by way of reply, and if the motion is moved by a non-official member, the member of the Government to whose department the matter relates shall have the right of speaking (whether he has previously spoken in the debate or not) after the mover has replied :

Provided that nothing in this paragraph shall be deemed to give any right of reply on an amendment except in the case of amendments proposed to Bills under Article 90 and in the case of motions relating to supplies made under Article 134.

Mr. E. Mayadas : The Honourable Revenue Member has not been pleased to tell us what amount of income is likely to accrue by the passing of this measure.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I am afraid I cannot give any figure. There will be some income, though it will probably be small.

Mr. President : The question is

That the Punjab Wild Birds and Wild Animals Protection Bill be circulated for eliciting opinion thereon by the 10th May of 1933.

The Council divided : Ayes 2 ; Noes 44.

AYES.

Chaudhri Allah Dad Khan.

| Mr. Muhammad Din Malak.

NOES.

Col. D. P. Goil.
Mr. D. J. Boyd.
Mr. H. Calvert.
Lala Labh Chand Mehra.
Mr. E. Mayadas.
Dr. (Mrs.) M. C. Shave.
Khan Bahadur Mian Mushtaq Ahmad.
Sardar Bahadur Captain Sardar Janmeja Singh.
The Honourable Dr. Gokul Chand Narang.
The Honourable Malik Sir Firoz Khan Noon.
The Honourable Sardar Sir Jogendra Singh.
Mr. P. Marsden.
Mr. R. Sanderson.
Mr. F. H. Puckle.
Mr. R. P. Hadow.
Mr. D. Macfarlane.
The Honourable Sir Henry Craik.
The Honourable Captain Sardar Sir 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.

Sardar Bahadur Khan.
Khan Bahadur Mian Muhammad Hayat Qureshi.
Khan Bahadur Malik Muhammad Amin Khan.
Mr. Owen Roberts.
Khan Bahadur Captain Malik Muzaaffar Khan.
Khan Sahib Makhdum Shaikh Muhammad Hasan.
Khan Haibat Khan Daba.
Chaudhri Riasat Ali.
Khan Sahib Risaldar Bahadur Nur Khan.
Maulvi Imam-ud-Din.
Raja Muhammad Sarfaraz Ali Khan.
Mian Nurullah.
Khan Bahadur Shaikh Din Muhammad.
Shaikh Abdul Ghani.
Rao Bahadur Chaudhri Chhotu Ram.
Mr. M. A. Ghani.
Chaudhri Ram Sarup.
Sardar Buta Singh.
Sardar Gurbachan Singh.
Sardar Bahadur Sardar Sheo Narain Singh.
Guru Jaswant Singh.

Mr. President : The question is—

That the Punjab Wild Birds and Wild Animals Protection Bill be taken into consideration.

The motion was carried.

Clause 1 (ii), (iii) and (iv).

Mr. President : The Council will now proceed to consider the Bill clause by clause.

The question is

That clause 1, sub-clauses (ii), (iii) and (iv) stand part of the Bill.

The motion was carried.

Clause 2.

Mr. President: The question is

That clause 2 stand part of the Bill.

The motion was carried.

Clause 3.

Mr. President : The question is

That clause 3 stand part of the Bill.

The motion was carried.

Clause 4.

Mr. President : The honourable member from Amritsar (Shaikh Muhammad Sadiq) has just given notice of an amendment.

Shaikh Muhammad Sadiq : Yes, Sir. It was with the permission of the Government.

Mr. President : I may point out that the amendment is ungrammatical.

Shaikh Muhammad Sadiq : It can be made grammatical.

Mr. President : The sub-clause reads—

The wild birds or wild animals specified in schedule III may be bought or possessed without a licence during the period specified in the schedule for purposes of consumption, provided they have been obtained from a licensee.

The amendment reads as follows :—

That in sub-clause (iii) (b) of clause 4, the words 'or has been shot' be added at the end.

The sub-clause if amended, as proposed, would read thus—

The wild birds or wild animals.....may be bought or possessed.....provided they have been obtained from a licensee or has been shot.

The Honourable Captain Sardar Sir Sikander Hyat Khan : There is another difficulty also. As I have already pointed out I would be prepared to consider his amendment if he puts it down in writing, and if it does not affect the Bill materially I would be willing to incorporate it in the Bill. But from what he has said there is a danger of a very big loophole being left unless the words "or have been shot under a licence" are added. By the addition of these words, however, the meaning of the clause as it now stands will not be materially changed, and the object which the honourable member has in view may not be attained. Thus it would result in merely adding redundant words.

Chaudhri Riasat Ali : I want to move my amendment that the words "or to possess" be omitted.

Mr. President : The honourable member's amendment is not in time.

Chaudhri Riasat Ali : You have always been pleased to accept the amendments even at the last moment.

Mr. President : Not as a matter of right.

Chaudhri Riasat Ali : This is a very important amendment.

Mr. President : The honourable member had ample time to give notice of his amendment. In exceptional cases the Chair will always show indulgence. But in this case the honourable member had ample opportunity to give timely notice and he failed to do so.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I must oppose the amendment not only on technical ground but also because it goes to the very root of the Bill.

Chaudhri Riasat Ali : And that is why it is important and must be discussed.

Mr. President : How does it go to the very root of the Bill?

The Honourable Captain Sardar Sir Sikander Hyat Khan : If you take away the words "or to possess" the whole object of the Bill will be frustrated. The word 'possess' is, if I may put it that way, the very soul of this clause. If you delete it you leave a loophole for unscrupulous persons who will be able to defy the law with impunity.

Shaikh Abdul Ghani : Suppose there is a bird captured already and possessed. Now that will be a crime after the passing of the Act.

The Honourable Captain Sardar Sir Sikander Hyat Khan : No. If you read the whole clause you will find that all these legitimate claims have already been met.

Shaikh Muhammad Sadiq : I want to know whether my amendment is accepted or not. The Government had already agreed to accept it.

Mr. President : The Chair is concerned only with an amendment of which notice has been received. If there was any arrangement or agreement between the mover of the Bill and the honourable member, the Chair is not aware of it, and that is why it has ruled more than once that nothing which passes between members outside the House shall be taken notice of.

Shaikh Muhammad Sadiq : I have a right to ask the Honourable Member to accept the amendment and if he accepts it there should be no objection.

Mr. President : Unless an amendment is allowed by the Chair, the question of its acceptance or non-acceptance cannot arise.

The Honourable Captain Sardar Sir Sikander Hyat Khan : The amendment of which he has given notice.—

Mr. President : It is not in order. It makes the clause ungrammatical.

The Honourable Captain Sardar Sir Sikander Hyat Khan : It does.

Shaikh Muhammad Sadiq : We want only the object and not grammar. I will ask you with all humility to correct the grammar like that of a school boy and people should not suffer by my ungrammaticalness.

The Honourable Captain Sardar Sir Sikander Hyat Khan : What I said was that so far as I am concerned I will have no objection in accepting the honourable member's amendment if the words "under a licence" were added. But I am sure that their addition will merely result in duplicating a provision which already exists.

Mr. President : According to parliamentary practice—

"Amendments are out of order if they are irrelevant to the question to which they are moved or would, if carried, produce a defective, meaningless or ungrammatical form of words."

So the amendment, as it stands, is ungrammatical and I have not as yet received notice of any other amendment.

Shaikh Muhammad Sadiq : May I send it now ? Will you allow it ? Many a time you have allowed half an hour for sending in amendments.

Mr. President : The amendment, as it stands, if carried, would make the clause ungrammatical, but yet if the House considers it important, I may allow it.

Shaikh Muhammad Sadiq : How will they judge unless they hear me ?

Mr. President : Is there any objection to the word 'have' being substituted for the word 'has' in the amendment ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I have none. But even after this correction is made it would be difficult for me to accept the amendment without the addition of the words I have suggested.

Shaikh Muhammad Sadiq : I appeal to the fair sense of the Government members. This amendment which I have given notice of is in the handwriting of one of the Government members. I would have sent in my own amendment but for the fact that they have suggested this amendment. If you allow me two minutes I will send in my amendment. My object is not to bring an amendment which is not acceptable to the Government and to the House. The spirit of the amendment was accepted by the Government and these words were suggested by them.

The Honourable Captain Sardar Sir Sikander Hyat Khan : It appears that the honourable member has not been able to understand me. Perhaps I have not been able to make myself quite clear. My objection is that unless the words 'under a licence' are added after the words 'or have been shot' the amendment will seriously affect an important provision of the Bill, and if these words are added it will not serve the purpose which my honourable friend has in view.

Shaikh Muhammad Sadiq : Then I will send in my original amendment.

Mr. President : I was inclined to have the amendment considered. But apparently it is opposed.

Shaikh Muhammad Sadiq : Sir, then there is nothing left for me but to oppose this clause. Bills are brought forward by the Government without consideration to the effect they will have on the ordinary life of our people. Government rushes in with measures without considering the consequence

of those measures. They have experts who have nothing to do but to bring forward foolish and stupid measures and foist them upon the people without realising the difficulties of the people of the country. Is it necessary for us to go on incorporating penal offences where there is no necessity? Can we not do without penal sections in this province? Must we embarrass every honest person who is out to earn his livelihood and every consumer of flesh? I know in this House there are people who unfortunately never think of the rights of the poor people, not consciously but unconsciously—and who always think that whatever comes from the Government must be all right. They do not understand the clauses word by word and what effect it will have on the poor people. Now read this section. Sub-clause (iii) says—

The wild birds or wild animals specified in schedule III—

- (a) may be killed, captured, possessed, bought, sold or offered for sale during the period specified in the said schedule under a licence, and in the manner and to the extent provided thereby—

Nothing wrong here because the man has a licence. He cannot sell, he cannot kill and cannot do any of these acts without a licence. Now look at the next section :—

- (b) may be bought or possessed without a licence during the period specified in the said schedule for purposes of consumption, provided they have been obtained from a licensee.

(Urdu). It means Sir, that a person can buy a pigeon from another only if the latter is in possession of a licence. This, I beg to point out will result in many a difficulty. A man, for instance, offers for sale to me a pigeon—*pila niwala* or any other kind. After he has left having pocketed the price another man makes his appearance and demands to know as to whence the pigeon has come. My reply is that I bought it from one Pira, son of Jamala, who resides in a particular village. The Government official naturally insists upon going to that village and ascertaining authoritatively whether the said Pira actually possesses a licence. Under such circumstances I will be subjected to a lot of inconvenience for no fault of mine. In this connection I should like to ask you a question. Is it fair to punish the buyer or possessor of a dead pigeon who might be a poor zamindar when your specific intention is to penalise the killing of a pigeon. Another very awkward situation will arise if the provisions laid down in this clause are accepted without any modification. Supposing a friend writes to another friend that he is sending him a partridge. The latter arrives at the railway station to receive the gift. The vigilant police man sees a person with a bird and demands the production of a licence. It is rightly expostulated that the sender of the gift does possess a licence but the police man would not let him go unless it is proved to his satisfaction that the sender of the bird is actually in possession of a licence. On the other hand if it is found unfortunately that the friend did not possess a licence then the fate of the poor recipient is sealed.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I wonder how a friend can put you in such an awkward position.

Shaikh Muhammad Sadiq : Who knows that that friend may be of your type? I assure you that such a small thing as possession of a bird without a licence will result in incalculable inconvenience to the person involved. Let us suppose that Sir Sikander Hyat Khan does not possess

[Sh. Muhammad Sadiq.]

the requisite licence. One Muhammad Sadiq sends him some partridges as gift. Sir Sikander Hyat Khan will be responsible for receiving the birds without a licence and Muhammad Sadiq can very well make an excuse that he was in Bombay at that time and that he did not send the birds. Now Sir Sikander can very easily save his skin on account of his being Sir Sikander or an exalted knight, but if there is some poor fellow who is only Sikandar and not a knight he will be most surely hauled up. If it is your intention that the consumption of partridges, peacocks, and pigeons be forbidden unto the poor you may accept this clause in its entirety otherwise you will have to accept my suggestion. There is one thing more which I want you to consider most thoughtfully. If you will allow this clause to form part of this Bill in its present form it will be very easy for your enemies to get you prosecuted by throwing a dead pigeon into your courtyard or on the roof of your house. Further it is provided in the Bill that a person is entitled to keep five partridges at a time in his house. Now if two of the partridges die he will find himself obliged to report to the Deputy Commissioner that his partridges have died and that he is not responsible for their death. I wonder how you can tolerate the very idea of putting respectable people in such a ridiculous position.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Will you please read out the lines you want to be inserted in the clause? I should like the House to know the modification you want to make.

Shaikh Muhammad Sadiq : What I want is simply this that any one in possession of a bird killed by a cartridge should not be prosecuted. If you do not insert the word "gun" how will you manage to save a poor man who is found in possession of a bird killed by a cartridge? If to-morrow you send your servant to take a partridge to a friend of yours the poor fellow will be arrested and eventually prosecuted.

The Honourable Captain Sardar Sir Sikander Hyat Khan : How can a person be prosecuted if he carries a bird sent by a licensee?

Shaikh Muhammad Sadiq : My objection is quite plain. I ask, if a person sends a shot bird to another man and at the same time reports to the police that the latter possesses a bird without a licence, how can the poor wronged soul save his skin? I may assure you that if you let this clause stand part of this Bill without any change no respectable person and no Government officer will be immune from courting the disaster of prosecution. It was with the intention of warding off such sinister possibilities that I wanted to move my amendment.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Please read out the amendment so that the Chair might be able to know the usefulness or otherwise of the amendment.

Shaikh Muhammad Sadiq : Have I your permission, Sir, to stop this dialogue?

Mr. President : Do not answer and the dialogue shall automatically come to an end.

Shaikh Muhammad Sadiq : I am absolutely ready to answer questions but—

Mr. President : If only one gentleman were to speak there shall be no dialogue.

Shaikh Muhammad Sadiq : I would request the Honourable Leader of the House to rectify all grammatical flaws from this amendment and accept it with your permission. I propose that anybody in possession of a bird killed by a cartridge should not be prosecuted and the licence of the gun he holds should be deemed sufficient to justify his possession of the same. If one is entitled to keep five living birds at the same time he should be allowed at least to possess one shot bird at a time. This is a fact known to

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all the honourable members of this House that Mussalmans do not touch the bird which is killed by any other method than *halal* and Sikhs have a preference for *jhatka*; Hindus have their own likes and dislikes, but no one will ever object to the taking of meat of a bird or animal killed by shot. It will therefore be in the fitness of things if the possession of a bird shot by gun be not penalised. If you begin to penalise such flimsy things then there will be no end to prosecutions in our city life. Already quite a number of people is daily involved in false excise cases and after that an addition will be made to them by placing this measure on the Statute Book.

Mr. M. A. Ghani : On a point of order Sir. You have already ruled out this amendment.

Shaikh Muhammad Sadiq : But where is the amendment? I have no intention to obstruct this measure. I think that this is the Magna Charta for the wild life of the province. I know that many useful and graceful birds like wood-pecker and jaze are ruthlessly killed by many people and it is our duty that we should save these poor creatures from the merciless cartridges of the unthinking shikari. I know that these schedules are highly beneficial to these poor birds but despite all this I would request you not to be so harsh upon your fellow human beings. I have been a legal practitioner for the last 14 or 15 years and I know that such laws are not infrequently used to tyrannise innocent people. Every one of us is aware that the general election under the new reforms will be the scene of the bitterest and keenest contests. All methods will be adopted to defeat the rival candidate. At that time sending of a shot partridge to the rival will prove a very dangerous gift. Such gifts will be very frequently exchanged by the opponents and there will be no end to prosecutions under this new Act. One dove or one pigeon will be sufficient to cause the greatest alarm in the rival camp. The gift of a red-tale or blue-tale will be deemed as great misfortune. I request once more that if my amendment is not grammatical or its wording does not convey the right sense you should kindly enter into the spirit with which I want it to be carried. With these words I resume my seat.

Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural) : Sir, I want to oppose clause 4 as a whole. I must make it clear at the very outset, like the gentleman who has just preceded me, that I am not opposed to the principle underlying the Bill; rather I am at one with the spirit of the Bill. Of course, it is clear that some of the very precious and useful birds and animals are becoming extinct in our province, simply for the reason that they are being ruthlessly killed, shot, ensnared or captured. We must stop this state of affairs in order to encourage the breeding of such precious birds and

[Ch. Riasat Ali].

animals. But where it is our duty to protect the lives of these birds and animals, it is our higher duty to protect the honour of rational beings. If we allow this clause to stand as it does at present, it means that there is a danger of many malicious prosecutions being set up and it is our duty, sitting as legislators here, to minimise the chances of innocent people being run in for nothing in spite of blaming the police and the magistracy afterwards.

Now there must be a proportion in the object we achieve and the cost at which we achieve it. The object which we achieve, if this clause stands part of the Bill, is that we save the lives of certain animals, but what is the cost at which we achieve it? The cost is that we risk the honour of respectable people. So, for these reasons we must decide and consider whether we are going to vote on one side or the other, so far as the insertion of this clause as a part of the Bill is concerned. There are some instances which must be considered. Supposing for example, that a kite is crossing the roof of this House or flying over the roof of my house with a partridge in its claws and it happens to lose its grip and as a result that bird falls in the courtyard of my house or somewhere in my room. What would be the result? The result will be that I will be hauled up for possessing a partridge which is excluded from being possessed as provided in this schedule. Now a clause, which makes a provision for a person, an innocent person, being run in on such a little pretext without any fault on his part must be excluded from being a part of this Bill. The possession of course is an offence in the case of revolvers, *chhavis*, ammunitions or other things, but the possession of a dead bird to be made penal is inconceivable. I do not think there is any limit to our asking this most ordinary thing. So far as the possession of a sword or a *kirpan* is concerned legislation has been made to exclude these things from the list of prohibited arms. Instead of the fact that they are going to be removed from the list we are making progress on the other side. We are going to penalise the possession of little birds. In this way in our country which is hopelessly divided into factions, as has been said by my honourable friend who has just preceded me, it will be very dangerous for us to include this clause as a part of the Bill. I was myself present at the time when the Honourable the Revenue Member condescended to hold an informal meeting in this very Chamber and many other honourable members were also present. He accepted our suggestions as regards the jurisdiction and the persons who were going to try the offences, as to the punishments to be awarded under this Bill, as to the persons who were going to issue licences under this Act, and who were to lodge prosecutions and as to rights of persons over private property whether they have a right to exclude people from shooting birds or not under this clause. One thing more. He very kindly agreed to the inclusion of schedule No. IV to this Act, in which some people are allowed to have pets. We pressed this amendment and this aspect of the question with all the force at our command, but unfortunately he could not agree. So, I would suggest that this clause should not be made a part of the Bill. I must remark in the end that the Bill has not received due consideration. It might be due to the fact that the Bill deals with lower animals and not with human beings or that it involves details with which most of the members are not well-versed.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) (*Urdu*) : Sir, I greatly appreciate the spirit which the honourable member from Amritsar has exhibited by supporting this measure and in moving his amendment. I have every sympathy with the motive which has actuated the honourable member to move this amendment. I am not an authority on legal matters and therefore not in a position to assert that the clause as it stands is flawless. Nevertheless, as a layman I consider that the object which the honourable member has in view will be secured even without amending the clause. My honourable friend tried to convert me to this point of view when we discussed this question informally yesterday. I on my part tried to convince him that the clause as it stands will sufficiently safeguard against the danger which he apprehended. I however confess that we were unsuccessful in convincing the other on this point; and I promised to consider sympathetically his amendment if he put it down in writing and provided it did not materially affect the efficacy of the measure. The object of the honourable member in moving this amendment, I understand is to exempt birds or animals shot by a gun or rifle from the operations of the provisions of this clause. My contention is that they are already exempted. All that is necessary for any person who happens to be in possession of such birds or animals is to indicate the source from which he has received them unless he happens to be a licensee himself. On the other hand, if the person in possession of birds or animals obtains them from a person who does not hold the requisite licence surely he does not deserve protection. In view of what I have said I trust that the honourable member will not further press his amendment.

Now I turn to the criticism made by the honourable member from Gujranwala. He suggested that this measure may be utilized by unscrupulous persons to implicate their enemies by instituting false complaints, and he proceeded to support his argument by saying that if a kite holding a dead partridge in its claws flew over some one's house and happened to drop the partridge in that somebody's compound that person would be liable to be hauled up in a court of law, for an offence under this Act for possessing a dead bird without a license. His second argument was that a maliciously inclined person might throw a dead bird or animal into the compound of his enemy merely to implicate him. It is hardly necessary for me to refute these fallacious arguments. He is himself a lawyer, Sir, and should have realized before putting forward these arguments that no law can possibly be framed to cover such far-fetched contingencies. However, I do not see why a person who wants to implicate his enemy should select this particular measure for his nefarious purpose in preference to others by which he could involve him more seriously. The maximum punishment under this Act is a fine of Rs. 50 only for a first offence, while the punishment under other laws of the land in some cases extends to long terms of imprisonment; and consequently it is difficult to conceive why an unscrupulous enemy should select this measure for the purpose of falsely implicating a person instead of bringing against him a charge of a more serious nature. It is therefore obvious that the apprehensions of the honourable member are far-fetched and groundless. I can, however, assure him that when the Act comes into force and if it is found to the satisfaction of Government that the Act

[The Hon. Captain Sardar Sir Sikander Hyat Khan.]
operates harshly on any section of the public, the Government of the day will, I have no doubt, take steps to make such amendments as may be necessary.

Mr. President : The question is—

That clause 4 stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That clause 5 stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That clause 6 stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That clause 7 stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That clause 8 stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That clause 9 stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That clause 10 stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That clause 11 stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That clause 12 stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That clause 13 stand part of the Bill.

The motion was carried.

Mr. President : Is Shaikh Muhammad Sadiq going to move his amendment in Schedule I ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : May I satisfy the honourable member by saying that we can always amend the schedules and we will do it.

Shaikh Muhammad Sadiq : Then I do not move my amendment, Sir.

Mr. S. L. Sale : Sir, I beg to move—

That in sub-clause (i) of clause 1, for the figures "193" the figures "1933" be substituted."

The motion was carried.

Mr. President : The question is—

That sub-clause (i) of clause 1 stand part of the Bill.

The motion was carried.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Sir, I beg to move—

That the Punjab Wild Birds and Wild Animals Protection Bill be passed.

The motion was carried.

The Council then adjourned till 2 p. m., on Tuesday, the 28th February 1933.

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PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 28th February 1933.

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—

Sardar Bahadur Khan (Dera Ghazi Khan, Muhammadan, Rural).

STARRED QUESTIONS AND ANSWERS.

DISTRICT AND SESSIONS JUDGE FOR ROHTAK.

***2187. Rao Bahadur Chaudhri Chhotu Ram :** (i) Will the Honourable Member for Finance kindly place on the table of the House—

(a) a comparative statement showing the number of murder cases and cases of culpable homicide in the districts of Rohtak, Karnal, Ambala, Gurdaspur, Hoshiarpur, Dera Ghazi Khan, Muzaffargarh, Montgomery and Jhang in the last three years ;

(b) the salaries allowed to the public prosecutors of the districts named in (a) ?

(ii) Will the Honourable Member for Finance kindly state—

(a) which of the districts named in (a) have a sessions judge of their own ;

(b) if Rohtak has an equal number with, or a larger number than, any of the districts named in (a), the reasons why Rohtak has not a sessions judge of its own ;

(c) how many civil appeals from the district of Rohtak have been transferred to other civil judicial divisions, such as Delhi or Ambala, during the last three years owing to pressure of work ;

(d) how many additional or assistant sessions judges, and for what length of time in each case, have been appointed for Rohtak during the last three years ;

(e) if the work of Rohtak to be attended to by the Public Prosecutor of Rohtak is found to compare favourably with similar work in other districts in which the salary of the public prosecutor is higher, whether the Government is prepared to raise the scale of salary allowed to the Public Prosecutor of Rohtak, and if not, why not ;

(f) if the work from Rohtak to be disposed of by the District and Sessions Judge of Rohtak is found to compare favourably with similar work from other districts which have district and sessions judges of their own, whether the Government is prepared to make Rohtak the headquarters of a district and sessions judge, and if not, why not ;

[R. B. Ch. Chhotu Ram.]

- (g) what extra expenditure, capital and recurring, will be incurred by giving Rohtak a district and sessions judge of its own.

The Honourable Sir Henry Craik : The information is being collected and will be supplied to the honourable member when ready.

SELECTION OF SUB-JUDGES.

***2188. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly place on the table of the House a list showing—

- (a) the total number of sub-judges selected during 1927, 1928, 1929, 1930, 1931, 1932 and 1933 as a result of the competitive tests held during these years ;
- (b) the number of the candidates selected in each of the years specified in (a) who are related to judicial officers ;
- (c) the number of candidates who had obtained more marks than, and were overlooked in favour of the candidates referred to in (b) ;
- (d) how many of the candidates referred to in (b) are statutory Hindu agriculturists and other Hindus, and what is the proportion of statutory Hindu agriculturists and other Hindus in the cadre of sub-judges ?

Mr. C. C. Garbett (Chief Secretary) : (a) The qualifying examination for the recruitment of candidates for the post of subordinate judge started in 1928 and selections since then are as follows :—

1928	..	..	..	16
1929	..	..	..	11
1930	..	..	..	11
1931	..	..	..	11
1932	..	..	..	11
1933	..	..	..	The test is held in November.
(b) 1928 and 1929	..	..	..	Nil, so far as is known.
1930	..	..	..	2
1931	..	..	..	2
1932	..	..	..	1

(c) 1930.—In one case there were seven persons and in the other fifty-nine persons ;

1931.—In one case there were two persons and in the other seven persons ; and

1932.—Twenty persons.

(d) First part—

Statutory Hindu agriculturists	..	..	Nil.
Other Hindus	..	..	4

Second part.—The honourable member is referred to the consolidated statement showing the proportionate representation of the various communities in the different departments of the Punjab Government.

SUPPLY OF COPIES.

***2189. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) whether in the district of Rohtak the practice is that those who apply for copies have first to come to the head-quarters to make an application for copies, then to come to ascertain what copying charges have to be deposited, and lastly to come to take delivery of those copies ;
- (b) whether the practice referred to in (a) obtains throughout the province ;
- (c) whether it is not possible to introduce a practice which is more convenient and less expensive to the public ?

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

(b) No.

(c) The deputy commissioner has been instructed to see that the correct procedure is observed in future.

STATUTORY AGRICULTURISTS AMONG HINDU SUB-JUDGES.

***2190. Rao Bahadur Chaudhri Chhotu Ram :** With reference to question 1075¹ asked by me on the 7th November, 1932, will the Chief Secretary kindly state—

- (a) whether the two candidates referred to in the answer to part (a) of the question, were Hindus other than statutory agriculturists ;
- (b) the percentage of Hindus in the general cadre of sub-judges and the percentage of Hindus other than statutory agriculturists among Hindu sub-judges ;
- (c) whether it is a fact that the object of allowing zamindars who had passed their LL.B. examination in the second division was to encourage the introduction into service of men belonging to backward classes not properly represented in the service ;
- (d) whether Hindus other than statutory agricultural classes to which the two candidates referred to in (a) belong are inadequately represented in the service or can be said to be a backward class ?

Mr. C. C. Garbett : (a) One is a zamindar.

(b) The information required is available to the honourable member in the consolidated statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government.

(c) Yes, within the limits of efficiency.

(d) As I understand the question, no : but only one of the two is a zamindar.

¹Volume XXII, page 2.

DISTRICT AND SESSIONS JUDGES.

***2191. Rao Bahadur Chaudhri Chhotu Ram :** With reference to my question 1546¹ asked on the 7th November, 1932, will the Honourable Member for Finance kindly state—

- (a) whether selections to fill the vacancies which were to occur on the 16th July and 7th August 1933, have been made ;
- (b) whether either of the two candidates selected is a statutory Hindu or Sikh agriculturist ?

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

(b) No, but one of the appointees is an agriculturist.

DISTRICT BOARD NOMINATIONS.

***2192. Rao Bahadur Chaudhri Chhotu Ram :** With reference to my question 1537² asked on the 7th November 1932, will the Honourable Minister for Local Self-Government kindly state—

- (a) whether it is not a fact that part (1) of the question required " the names of the nominated members with the interest which each of them is supposed to represent " ;
- (b) whether it is a fact that his answer does not specify the interest except in the case of Lala Kirpa Ram of Rohtak district and Lala Chiman Lal of Gurgaon district which each of the nominated members is supposed to represent ;
- (c) whether he is now prepared to supply the deficiency, and if not, why not?

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

(b) and (c). Other nominated members represented interests of various tribes of agriculturists, and one those of the classes paying haisiyat and professional taxes.

EXTRA ASSISTANT COMMISSIONERS.

***2193. Rao Bahadur Chaudhri Chhotu Ram :** With reference to my question 1547³ asked on the 7th November, 1932, will the Chief Secretary kindly state—

- (a) why as many as thirty extra assistant commissioners who have completed thirty years of service have not been asked to retire, while the Government finds itself under the necessity of asking well-qualified young men to work in an honorary capacity ;
- (b) the number of extra assistant commissioners who are working without receiving any salary ;
- (c) whether the extra assistant commissioners referred to in (b) are all graduates and have passed their departmental examination ;

¹Volume XXII, page 51.

²Volume XXII, pages 45-46.

- (d) the years in which the extra assistant commissioners referred to in (b) were respectively, selected as approved candidates for the post of extra assistant commissioner ;
- (e) how many of the extra assistant commissioners referred to in (a) are graduates, how many under-graduates, how many matriculates and how many of a still lower educational qualifications ;
- (f) the saving if the extra assistant commissioners referred to in (a) are replaced by fresh men?

Mr. C. C. Garbett : (a) The number 90 has now been reduced. The total number of extra assistant commissioners who have completed 30 years service and are still in service is 28. Of these 5 are on deputation, one is on leave preparatory to being compulsorily retired, 2 others are about to retire—one in April and one in May. Thus the effective number of these senior extra assistant commissioners is 20 only.

Retirement is regulated by the Civil Service Regulations and these regulations make no provision for the formula suggested by the honourable member.

(b) On 15th February 1933, the number was six.

(c) *First part.*—Yes.

Second part.—No.

(d) March, 1930.

(e) Of the 20 individuals referred to in the answer to (a) six are graduates. Information of the exact educational qualifications of the others is not on record.

(f) The honourable member is referred to the answer given to part (f) of his own question No. *1627.¹ Government anticipates no real saving.

HONORARY EXTRA ASSISTANT COMMISSIONERS AND TAHSILDARS.

***2194. Rao Bahadur Chaudhri Chhotu Ram :** With reference to question *1627² (c) asked on the 8th November, 1932, will the Honourable Member for Finance kindly state the number of persons accepted for the post of (i) extra assistant commissioner and (ii) tahsildar who are actually serving, of their own free will, on an unpaid basis, together with the dates of their acceptance as approved candidates ?

Mr. C. C. Garbett (Chief Secretary) : (i) Six. They were accepted as candidates for the post of extra assistant commissioner in March 1930.

(ii) Ten. They were accepted as candidates for the post of tahsildar. One on 3rd October, 1928, two on 6th December 1928 and seven on 24th June 1929.

¹Volume XXII, page 149.

²Volume XXII, pages 148-49.

SELECTION OF DEPUTY SUPERINTENDENT OF POLICE.

***2195. Rao Bahadur Chaudhri Chhotu Ram :** With reference to my question *1812¹ asked on the 14th November 1932, will the Honourable Member for Finance kindly state—

- (a) whether the candidate selected for the post of a deputy superintendent of police at the last selection was a Hindu, or a Muslim or a Sikh ;
- (b) whether the candidate referred to in (c) of my question was an M.A., was a member of U. T. C. when a student, was a son of a deputy collector (Irrigation Department), was a cousin of a title-holder and senior Vice-Chairman of the District Board of Karnal ;
- (c) whether Karnal district is a backward tract in respect of education and representation in Government service ;
- (d) whether it is the declared policy of Government to give preference between rival candidates of equal qualifications to a candidate belonging to a backward class ;
- (e) the reasons why a man who had passed only an Intermediate examination in Arts was preferred to an M.A. candidate who was a statutory Hindu agriculturist of whom there is not one among the deputy superintendents of police ;
- (f) whether there was any statutory Hindu agriculturist on the selection board which made the selections in the year in question?

The Honourable Sir Henry Craik : (a) Muslim.

(b) Yes.

(c) I would suggest that the honourable member should address the first part of the question to the Honourable Minister for Education. The answer to the second part is in the negative.

(d) No.

(e) The M.A. candidate referred to was not one of the four candidates whose names were submitted to Government by the selection board as the most suitable for the appointment.

(f) The Hindu gentleman who was on the board was not a statutory agriculturist.

ASAN AND ISMAILA BRANCHES OF BHALAUT DISTRIBUTARY.

***2196. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) the area commanded in village Garbi Sampla, district Rohtak, by the Asan and Ismaila branches, respectively of the Bhalaut distributary ;

- (b) the permissible percentage of the area to be irrigated in the village mentioned in (a) by the branches mentioned in (a);
- (c) the total area irrigated and sown in the above-mentioned village on each of the two branches in *kharif* 1930-31, *rabi* 1931-32, *kharif* 1931-32 and *rabi* 1932-33?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The culturable commanded areas of Garhi Sampla village are—

- | | | | |
|--------------------|----|----|------------|
| (1) Asan Branch | .. | .. | Nil. |
| (2) Ismaila Branch | .. | .. | 990 acres. |
- (b) The permissible percentages of the area to be irrigated are—
- | | | | |
|--------------------|----|----|---|
| (1) Asan Branch | .. | .. | Nil. |
| (2) Ismaila Branch | .. | .. | 40 per cent. of culturable commanded area .. 156 acres. |
- (c) The areas irrigated are as below—
- | | | | |
|--------------------|----|----|---|
| (1) Asan Branch | .. | .. | Nil. |
| (2) Ismaila Branch | .. | .. | (i) <i>Kharif</i> , 1931 .. 11 acres. |
| | | | (ii) <i>Rabi</i> , 1931-32 .. 26 " |
| | | | (iii) <i>Kharif</i> , 1932 .. 7 " |
| | | | (iv) <i>Rabi</i> , 1932-33 up to end of January .. 19 " |

CLOSURES OF 6-R., LOWER BARI DOAB CANAL.

***2197 Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) the number, durations and dates of the closures of 6-R. on the Lower Bari Doab Canal in 1931, 1932 and 1933;
- (b) the area sown with wheat in *rabi* 1931-32 and *rabi* 1932-33 in Chak 88/6-R. near Montgomery;
- (c) how many days the canal ran in November and December, 1932, and January and February, 1933, respectively in the chak mentioned in (b);
- (d) how many days the canal ran in September, 1932, in the above mentioned chak;
- (e) the yield of cotton per acre in the above chak according to the estimates of zamindars and Government, respectively;
- (f) whether the zamindars of the above chak applied for remission of water-rates, and if so, whether any remission was granted?

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

- (b) 441 acres in *rabi* 1931-32 and 362 acres in *rabi* 1932-33.

[Hon. Sir Sikander Hyat Khan.]

(c) 16 days in November, 1932, 5 days in December, 1932, and 22 days in January 1933. Information for February, 1933, is not available as the month is not yet over.

(d) For the full month.

(e) The average yield of cotton per acre in the chak in question according to the estimate of zamindars and Government was about 4 maunds and 5 maunds, respectively.

(f) The zamindars of the chak applied for remission under the *kharaba* rules, such fields as deserved remission were duly granted the same.

Statement showing number, duration and the dates of the closure of 6-R.

Distributary of Lower Bari Doab Canal in 1931, 1932 and 1933.

Months.	1931.	1932.	1933.
	Days.	Days.	Days.
January ..	1st to 12th, 14th to 17th and 20th to 31st. 28	1st to 11th and 23rd to 31st. 20	16th to 17th and 25th to 31st. 9
February ..	1st to 6th and 12th to 17th. 11	1st to 2nd and 20th to 22nd. 5	..
March ..	No closure	1st to 4th and 19th and 20th. 6	..
April ..	16th to 22nd .. 7	13th to 25th .. 13	..
May ..	No closure	No closure .. ..	..
June ..	No closure	30th .. 1	..
July ..	26th to 30th .. 5	1st and 21st .. 2	..
August ..	6th .. 1	No closure .. ..	..
September..	1st to 3rd and 5th to 6th. 5	No closure .. ..	..
October ..	26th .. 1	8th to 11th and 15th to 16th. 6	..
November..	26th to 28th .. 3	6th to 11th and 23rd to 30th. 14	..
December ..	2nd to 4th and 22nd to 31st. 13	1st to 4th and 9th to 28th. 26	..
	Total .. 74	Total .. 93	Total ..

REMISSION OF WATER-RATES.

***2198. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that for purposes of remission of water-rates a crop of less than 4 annas in the rupee must be proved ;
- (b) whether it is a fact that for granting *khara* a normal crop is held to be one which gives a yield equal to the yield adopted by the settlement officer for framing his half net assets estimate ;
- (c) the yield per acre of cotton adopted in the settlement in force in Montgomery district as the basis of half net assets ;
- (d) the price of the cotton conventionally assumed as a normal yield per acre according to the prices prevailing in January, 1932, and January, 1933, respectively ;
- (e) the cost per acre of cotton in respect of (i) seed, (ii) labour, that is, ploughing, sowing, harrowing, weeding, guarding and picking, (iii) manuring, (iv) land revenue, (v) local rates and cesses, and (vi) water-rates ;
- (f) how the total price of the yield of a 4 anna crop of cotton per acre compares with the total cost referred to in (e) ;
- (g) whether it is a fact that even under the existing rule the basis of water-rates is that a cultivator should have the means to pay the water-rates out of the produce of the land irrigated after deducting the cost of cultivation and labour ;
- (h) the variations of the particulars set forth above in respect of wheat and sugarcane?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The honourable member is referred to rule 20 of the rules issued under the Northern India Canal and Drainage Act (VIII of 1879) ;

(b) Yes ;

(c) There is no regular settlement in force in the canal irrigated areas in the Montgomery district. The average normal yield of cotton assumed at the last settlement in *seers per acre* is as follows :—

Gugera (all circles)	..	{ Chahi-nahri ..	200
		{ Nahri ..	120
Montgomery (all circles)	..	Other (chiefly sailab)	100

		<i>Bar circle.</i>	<i>Sohagpara circle.</i>	<i>Bet circle.</i>	
Pakpattan	{ Chahi-nahri ..	200	240	180	
	{ Nahri ..	140	180	160	
		<i>Bar circle.</i>	<i>Khanwah circle.</i>	<i>Sohag circle.</i>	<i>Bet circle.</i>
Dipalpur	{ Chahi-nahri ..	160	200	240	180
	{ Nahri ..	100	160	180	160

[Hon. Sir Sikander Hyat Khan.]

(d) This part of the question is not understood. The wholesale price of unginned cotton in Montgomery town for the fortnight ending the 15th January 1932 and 1933 was as under:—

		1932.	1933.
		Rs.	Rs. A. P.
Montgomery ..	{ American ..	9 0 0	7 0 0
	{ Desi ..	8 0 0	6 1 0

(e) and (f). No standard cost of cultivation per acre can be quoted.

(g) No.

(h) In regard to (c) and (d) the variations are given below—

Average yield in seers per acre assumed at last settlement.

Wheat.				Sugarcane.						
Gugera (all circles)	{	Chahi-nahri ..	480	{ (Information is not readily available).						
		Nahri ..	320							
Montgomery (all circles).		Other (chiefly sailab)	280	Ditto.						
		Bar.	Sohag para.	Bet.	Bar.	Sohag.	Bet.			
Pakpattan ..	{	Chahi-nahri ..	420	420	360	180	180	180		
		Nahri ..	240	300	260	180	180	180		
		Bar.	Khan wah.	Sohag.	Bet.	Bar.	Khan wah.	Sohag.	Bet.	
Dipalpur {	{	Chahi-nahri	360	400	420	320	180	180	180	..
		Nahri ..	240	260	320	240	180	..

Wholesale price for the fortnight ending the 15th January.

Wheat.				Sugarcane (Gur).			
		1932.	1933.			1932.	1933.
		Rs. A. P.	Rs. A. P.			Rs. A. P.	Rs. A. P.
Montgomery ..		2 5 0	3 1 0			3 10 0	3 5 0

FAILURE OF WATER-SUPPLY.

*2199. **Rao Bahadur Chaudhri Chhotu Ram** : Will the Honourable Member for Revenue kindly state whether it is a fact that owing to the failure of water-supply, no *toria* crop was sown in the last *kharif* crop (1932-33) in Chak No. 88-6-R. near Montgomery?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Five acres of *toria* were sown in Chak 88-6-R. in the *rabi* of 1932-33.

YIELD OF GUR.

***2200. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state in respect of Rohtak district generally—

- the average yield of *gur* per acre adopted as the basis of half net assets in the current settlement;
- the average yield of *gur* per acre expected this year;
- the price per maund of *gur* in Rohtak Mandi on the 10th January, 1933;
- the average rate of land revenue per acre in the irrigated parts of Gohana and Sonapat tahsils;
- the water-rates per acre on sugar-cane on the Western Jumna Canal;
- the cost per acre of sugarcane in respect of seed and cost of cultivation?

The Honourable Captain Sardar Sir Sikander Hyat Khan :

- 1,168 seers.
- 1,100 seers.
- Rs. 2.
- Rs. 1-8-0 and Rs. 2-8-0, respectively.
- Flow rate, Rs. 12.
Lift rate, Rs. 6.
- Approximately Rs. 14.

NAL-CHAH IN JHAJJAR AND SONEPAT.

***2201. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state whether the Deputy Commissioner of Rohtak has recommended the remission of *nal-chah* in respect of the wells which have not been used for the purpose of irrigation for five years successively in the Jhajjar and Sonapat tahsils of the Rohtak district, and if so, for how many wells in each tahsil, and if not, why not?

The Honourable Captain Sardar Sir Sikander Hyat Khan :—A statement showing the required information is laid on the table—

Tahsil.	Number of wells of which the <i>abiana</i> has been remitted.	Amount of <i>abiana</i> remitted for the wells shown in column No. 2.	REMARKS.
1	2	3	4
Rohtak ..	17	Rs. 146	The reports regarding wells of Kheora Circle are pending with Tahsildar, Sonapat, and not included in this statement.
Jhajjar ..	59	432	
Gohana ..	..	..
Sonapat ..	131	990	
Total ..	207	1,568	

DEFENCE OF ACCUSED AT GOVERNMENT EXPENSE.

***2202. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state the number of cases in which pleaders were engaged at Government expense for the defence of the accused in sessions cases in the districts of Rohtak, Gurgaon, Hissar and Karnal in 1926, 1931 and 1932, respectively?

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

Statement.

			Rohtak.	Gurgaon.	Hissar.	Karnal.
1926	..	..	3	1	5	..
1931	..	..	8	8	14	6
1932	..	..	7	1	16	9

CUT IN SALARIES.

***2203. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- the total amount which would have to be added to the expenditure side of the budget if the present ten per cent. cut in salaries were removed;
- whether economic conditions in the province have sufficiently improved to justify the removal of this cut, and if so, what are the data upon which this opinion is based?

The Honourable Sir Henry Craik : (a) About 33 lakhs.

(b) The honourable member is referred to my speech¹ of the 25th February, 1933, presenting the budget for 1933-34.

MANDI HYDRO-ELECTRIC SCHEME.

***2204. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Local Self-Government kindly state the total expenditure incurred on the completion of the Mandi Hydro-Electric Scheme and how this expenditure compares with the estimate of ultimate cost framed by the special committee appointed for the purpose?

The Honourable Dr. Gokul Chand Narang : The Mandi Hydro-Electric Scheme is not yet complete and a final figure of expenditure cannot therefore be given. The expenditure to the end of 30th November, 1932, is Rs. 4,04,85,208. The estimate of ultimate cost framed by the Enquiry Committee is Rs. 6,25,00,000.

¹ Pages 27—36 ante.

Neither the estimate of the Enquiry Committee nor the expenditure mentioned takes into account the expenditure on local distribution schemes for the supply of energy to the various towns in the area of supply. Local distribution, however, formed part of the original project and is estimated to cost about 41½ lakhs, against which about 18 lakhs will probably be spent by 31st March 1938.

MOTOR VEHICLES PLYING ON HIRE.

***2205. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state the number of motor vehicles plying on hire in the Rohtak district in 1932?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Two hundred and seventy-five at the end of 1932.

OFFENCES UNDER MOTOR VEHICLES ACT.

***2206. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state the amount of fines imposed in each district in 1932, on drivers and owners of motor vehicles for offences under the Motor Vehicles Act and the rules made thereunder?

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

Statement.

District.					Amount of fines imposed.		
					Rs. A. P.		
Hissar	..	..	..	..	1,166	0	0
Rohtak	..	..	..	..	8,801	0	0
Gurgaon	..	..	..	..	2,451	0	0
Karnal	..	..	..	..	2,881	0	0
Ambala	..	..	..	..	2,760	0	0
Simla	..	..	..	..	598	0	0
Kangra	..	..	..	..	3,607	0	0
Hoshiarpur	..	..	..	..	5,289	0	0
Jullundur	..	..	..	..	5,480	0	0
Ludhiana	..	..	..	..	3,099	4	0
Ferozepore	..	..	..	..	4,989	0	0
Gujrat	..	..	..	..	1,912	0	0
Shahpur	..	..	..	..	4,209	0	0
Jhelum	..	..	..	..	3,706	0	0
Rawalpindi	..	..	..	..	26,248	8	0

[Hon. Sir Sikander Hyat Khan.]

Statement—concluded.

District.				Amount of fines imposed.		
				Rs.	A.	P.
Attock	..	..	..	3,322	0	0
Mianwali	..	..	..	165	0	0
Montgomery	..	..	..	1,597	0	0
Lyallpur	..	..	..	5,591	8	0
Jhang	..	..	..	3,110	12	0
Muzaffargarh	..	..	..	1,144	0	0
Dera Ghazi Khan	..	..	..	1,991	0	0
Multan	..	..	..	4,175	0	0
Amritsar	..	..	..	25,743	8	0
Gurdaspur	..	..	..	5,171	0	0
Sialkot	..	..	..	3,597	0	0
Gujranwala	..	..	..	5,868	0	0
Sheikhupura	..	..	..	7,124	0	0
Lahore	..	..	..	20,950	8	0

MOTOR ACCIDENTS.

***2207. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Revenue Member kindly state the number of persons killed in the Rohtak district in 1931 and 1932, respectively, as a result of motor accidents, the number of persons convicted for rash driving and the maximum punishment awarded to them in the same years?

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

Statement.

NUMBER OF PERSONS KILLED AS A RESULT OF MOTOR ACCIDENTS.		NUMBER OF PERSONS CONVICTED FOR RASH DRIVING.		MAXIMUM PUNISHMENT AWARDED.	
Year 1931.	Year 1932.	Year 1931.	Year 1932.	Year 1931.	Year 1932.
8	5	5	6	Imprisonment for one month.	Imprisonment for one year and Rs. 25 fine.

CONVICTIONS OF POLICEMEN.

***2208. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state the number of policemen convicted for thefts, burglaries, robberies or dacoities during the last three years in the province?

The Honourable Sir Henry Craik :—

1930	..	..	..	..	..	8
1931	..	..	..	..	..	7
1932	..	..	..	..	..	10
Total						25

STATUTORY AGRICULTURISTS IN POLICE DEPARTMENT.

***2209. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- the total number of Hindu (i) deputy superintendents, (ii) inspectors, (iii) sub-inspectors and (iv) assistant sub-inspectors of police ;
- the number of those among the officers specified in (a) who were recruited directly or were appointed by promotion ;
- the number of statutory agriculturists among them?

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

Statement.

(a)		(b)		(c)
Total number of Hindu—		Recruited directly.	Appointed by promotion.	Number of statutory agriculturists.
(i) Deputy superintendents	.. 11	1	10	..
(ii) Inspectors	.. 45	1	44	9
(iii) Sub-inspectors	.. 254	158	96	73
(iv) Assistant sub-inspectors	.. 66	38	28	20

HEAD CONSTABLES IN ROHTAK DISTRICT.

***2210. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- the number of sub-inspectors (permanent or officiating) serving in the Rohtak district who belong to that district ;

[R. B. Ch. Chhotu Ram.]

(b) the number of head constables who have been placed in charge of police stations in the Rohtak district in the current financial year ;

(c) the number and names of permanent sub-inspectors in the Rohtak district who have been replaced by head constables in the charge of police stations?

The Honourable Sir Henry Craik : (a) Nil.

(b) Three have been temporarily so posted.

(c) Two. It is against the interests of discipline in the force to give names.

SESSIONS CASES IN ROHTAK DISTRICT.

***2211. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

(a) the number of cases tried in the Rohtak district by the sessions judge or additional sessions judges in 1931, 1932 and 1933 in which special public prosecutors or special counsel engaged at Government expense for the defence were imported from outside the district ;

(b) the additional expenditure incurred by Government in consequence of failing to make use of local talent?

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

			NUMBER OF CASES IN WHICH PERSONS FROM OUTSIDE THE DISTRICT WERE ENGAGED AS	
			Special Public Prosecutors.	Special Counsel for defence.
1931	..	..	13 (all cases conducted by one)	Nil.
1932	..	..	Nil	One (The counsel was paid the same fee as admissible to a local counsel).
1933	..	..	One	No information has so far reached Government.

NOTE.—A sessions judge has, subject to the rule as to scale of fee, complete discretion in the matter of engagement of defence counsel at Government expense, and Government cannot interfere. Special reasons existed for the engagement of outside counsel in the cases where they were engaged for the prosecution.

					Rs.	A.	P.
(b)	1931	..	..	..	768	11	0
	1932	..	..	..	Nil.		
	1933	(up to the 15th February 1933)	..	..	1,030	12	0

UNSTARRED QUESTIONS AND ANSWERS.

SUSPENSION OF LAND REVENUE IN JHAJJAR TAHSIL.

570. Rao Bahadur Chaudhri Chhotu Ram : Will the Honourable Revenue Member kindly state the number of villages in the Jhajjar tahsil of the Rohtak district for which suspension of land revenue for *kharif* 1982-83 has been granted and the proportion which the suspension granted bears to the total land revenue demand for the same harvest ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Suspensions of land revenue for *kharif* 1982-83 have been granted in 54 villages of the Jhajjar tahsil in the Rohtak district and amount to 61.4 per cent. of the total demand of these villages for the same harvest.

DAHRI RATES IN JHAJJAR TAHSIL.

571. Rao Bahadur Chaudhri Chhotu Ram : Will the Honourable Revenue Member kindly state the names of villages in the Jhajjar tahsil of the Rohtak district in which *dahri* rates are levied, the total annual amount of these rates and the years during the last quinquennium in which the lands of these villages benefited from the water of *dahar* ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (1) Statement showing the names of villages is enclosed.

(2) Annual amount of *dahri* rates is Rs. 17,905.

(3) Only in 1980-81 *dahri* water came.

Names of villages in Jhajjar tahsil paying dahri rates.

- | | |
|--------------------------|-----------------------|
| 1. Khari Taluka Patauda. | 20. Fatehpur. |
| 2. Kolana. | 21. Pelpa. |
| 3. Patauda. | 22. Sondhi. |
| 4. Amadalpur. | 23. Yaqubpur. |
| 5. Lohari. | 24. Khaliqpur. |
| 6. Zahidpur. | 25. Kutani. |
| 7. Unt Loda. | 26. Nangla. |
| 8. Silana. | 27. Dadri Tah. |
| 9. Silani Pana Kesho. | 28. Bir Dadri. |
| 10. Silani Pana Zalim. | 29. Aurungpur. |
| 11. Bathera. | 30. Sheojipura. |
| 12. Patasni. | 31. Manampur Kakrola. |
| 13. Badli. | 32. Namana. |
| 14. Daryapur. | 33. Bamnaula. |
| 15. Lagarpur. | 34. Sura. |
| 16. Dawarkhana. | 35. Kaloi. |
| 17. Lohat. | 36. Durina. |
| 18. Barsa. | 37. Jahangirpur. |
| 19. Mundakhera. | 38. Okhalehara. |

39. Bopania.

CHAUKIDARS IN ROHTAK DISTRICT.

572. Rao Bahadur Chaudhri Chhotu Ram: Will the Honourable Finance Member kindly place on the table of the House a statement in respect of the Rohtak district—

- (a) showing the number of chakidars (i) above the age of 55, and (ii) above the age of 60 ;
- (b) showing the number of chakidars dismissed in accordance with the wishes of chakidara-payers during the last five years ?

The Honourable Sir Henry Craik :

- (a) (i) 72.
- (ii) 35.
- (b) 202.

DIET MONEY DEPOSITED BY CIVIL LITIGANTS.

573. Rao Bahadur Chaudhri Chhotu Ram: Will the Honourable Finance Member kindly state the total amount of diet money deposited by civil litigants for witnesses which was neither disbursed to witnesses nor returned to depositors in 1928, 1929, 1930 and 1931, respectively ?

The Honourable Sir Henry Craik : It is regretted that the information is not readily available and its collection would entail expenditure of time and money which the Government does not consider would be justified in the existing state of the finances of the province. If the honourable member has reason to believe that in any particular district or districts abuses exist in respect of this matter I shall be glad to make an investigation.

UN-REFUNDED COPYING CHARGES.

574. Rao Bahadur Chaudhri Chhotu Ram : Will the Honourable Revenue Member kindly state the total amount of money deposited by applicants for copies which remained un-refunded to depositors after the deduction of copying charges in 1931 and 1932.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Rs. 5,050-1-6.

HINDU REPRESENTATION AMONG HEAD-MASTERS OF GOVERNMENT HIGH SCHOOLS.

575. Rai Bahadur Lala Sewak Ram : Will the Honourable Minister for Education be pleased—

- (a) to lay on the table the names of the head-masters of Government high school in the Punjab along with the names of their second masters, with their length of services arranged according to the community to which they belong
- (b) to state whether the Government is aware of the great dissatisfaction which prevails in the Hindu community on account of the great paucity of Hindu head-masters of Government schools ; and
- (c) to state what action the Government contemplates in appointing more Hindus as head-masters of Government high schools ?

The Honourable Malik Sir Firoz Khan Noon : (a) In view of the answer to part (b) of this question, it is in the public interest that departmental energies should not be expended on collecting this information which will serve no useful purpose.

(b) No. It will perhaps interest the honourable member to know that out of 371 high schools, Government, board and aided, 189 have Hindu head-masters, 123 Muslim head-masters, 77 Sikh head-masters, and 32 Christian head-masters. The educational interests of the Hindu community are thus well protected and the community seems to have no justification to be dissatisfied with the things as they are.

(c) The policy of Government was stated by the Honourable Finance Member in a debate in the Legislative Council on the 19th of July, 1927. This is still the policy of Government, and Government continue to carry out the requirements of the formula contained in the said statement of policy.

HINDU INSPECTING STAFF OF THE EDUCATION DEPARTMENT.

576. Rai Bahadur Lala Sewak Ram: Will the Honourable Minister for Education lay on the table—

(a) a statement showing the names and qualifications of Hindu members of the inspecting staff of the Education Department who have been reverted to schools and colleges ;

(b) a similar statement showing the names of the Hindu district inspectors of schools who have been made assistant district inspectors of schools ;

(c) the reasons for these postings ?

The Honourable Malik Sir Firoz Khan Noon : (a) and (b). It is not in the public interest to give out the names of Government servants who are reverted from the inspection to the teaching line. The chief reason for such reversion is the unsuitability of a particular officer for the inspection line.

(c) To state the reasons in specific cases might be definitely harmful to the officers concerned who would not thank the honourable member for his causing the information to be made public.

HINDU HEAD CLERKS IN OFFICES OF INSPECTORS OF SCHOOLS.

577. Rai Bahadur Lala Sewak Ram: Will the Honourable Minister for Education be pleased—

(a) to lay on the table a statement showing the names of the head clerks in the offices of the district inspectors of schools and inspectors of schools in the Punjab arranged according to the community to which they belong ;

(b) to state whether the Government is taking any action to raise the number of Hindu head clerks in these offices ?

The Honourable Malik Sir Firoz Khan Noon : (a) A statement showing communitywise the number of head clerks in the offices of the district inspectors of schools and the inspectors of schools in the Punjab is laid on the table. This will serve the purpose the honourable member has in view.

(b) The policy of Government was stated by the Honourable Finance Member in a debate in the Legislative Council on the 19th of July 1927. This is still the policy of Government and Government continue to carry out the requirements of the formula contained in the said statement of policy.

Statement.

HEAD CLERKS IN THE OFFICE OF INSPECTORS OF SCHOOLS IN THE PUNJAB.				HEAD CLERKS IN THE OFFICES OF THE DISTRICT INSPECTORS OF SCHOOLS IN THE PUNJAB.			
Hindu.	Muham- madan.	Sikh.	Others.	Hindu.	Muham- madan.	Sikh.	Others.
2	3	..	..	10	18	1	..

HINDU REPRESENTATION IN INSPECTING STAFF OF EDUCATION DE-
PARTMENT.

578. Rai Bahadur Lala Sewak Ram: Will the Honourable Minister for Education be pleased to state—

- whether his attention has been drawn to the communications published from time to time in the *Tribune* and the *Milap* of Lahore revealing the great reduction in the number of Hindu inspectors of schools, district inspectors of schools, assistant district inspectors of schools and head-masters of Government high schools in the Punjab, since the appointment of Khan Bahadur Sheikh Nur Ilahi, as Assistant Director of Public Instruction ;
- whether it is a fact that the number of Hindu inspectors of school^{ls} in the Punjab is to-day only one, out of a total of 7 ;
- whether Hindu district inspectors of schools are 8 out of 29 as against 14 in 1930 ;
- whether the number of Hindu assistant district inspectors of schools is only 38 out of a total of more than 150 ;
- whether the number of Hindu deputy inspectors of schools is nil out of a total of 7 ;

- (f) what action Government is taking in the matter of appointing more Hindus to the posts of inspectors, deputy inspectors of schools, district inspectors of schools and assistant district inspectors of schools ;
- (g) whether Government is aware that deep indignation and resentment prevails in the Hindu community as a result of this reduction in the strength of the Hindu members of the inspecting staff ;
- (h) what action Government is contemplating to raise the number of Hindus in the inspecting line of the Education Department ?

The Honourable Malik Sir Firoz Khan Noon : (a) Yes. I have read these statements which are based on incomplete information. It may be added for the honourable member's information that the appointments of inspectors, district inspectors of schools and head-masters in the P. E. S. are made by Government on the recommendation of the Director of Public Instruction and of officers of the last two categories in the subordinate educational service and assistant district inspectors of schools by the Director of Public Instruction. In case of appointments of district inspectors, head-masters and assistant district inspectors, divisional inspectors are consulted.

(b) There are only five inspectors of schools of whom three are permanent—two Europeans and one Hindu.

(c) The number of Hindu district inspectors in 1930 was ten and not fourteen as alleged by the honourable member. The number at present is eight.

(d) Yes.

(e) The honourable member is referred to the answer to his question No. 579.

(f) and (h). The policy of Government was stated by the Honourable Finance Member in a debate in the Legislative Council on the 19th of July, 1927. This is still the policy of Government, and Government continue to carry out the requirements of the formula contained in the said statement of policy.

(g) No, nor does Government think that the Hindu community has a cause for genuine grievance in this respect.

COMMUNAL REPRESENTATION IN INSPECTING STAFF OF EDUCATION DEPARTMENT.

579. Rai Bahadur Lala Sewak Ram: Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that there has been an unwritten convention that Muslim inspectors should have a non-Muslim deputy inspector of schools and a non-Muslim inspector have a Muslim deputy inspector of schools ;
- (b) whether it is a fact that in all the five divisions in the province there is not a single permanent Hindu deputy inspector of schools ?

The Honourable Malik Sir Firoz Khan Noon : (a) Both the Muslim divisional inspectors of schools have non-Muslim deputies.

(b) The following are the deputy inspectors of schools in all the five divisions in the province :—

- | | |
|------------------------|-------------------------|
| (1) Sardar Deva Singh. | (4) Mr. P. D. Bhanot. |
| (2) Mr. Pran Nath. | (5) Bawa Barkat Singh. |
| (3) Lala Sham Chand. | (6) Shaikh Allah Rakha. |
| (7) Lala Indar Bhan. | |

TAQAVI LOANS TO CULTIVATORS IN SHEIKHUPURA DISTRICT.

580. Chaudhri Shah Muhammad : Will the Honourable Member for Revenue kindly state—

- the total amount which was to be distributed among the cultivators as *taqavi* loan for the years 1931 and 1932 in the district of Sheikhupura ;
- the share of each tahsil in respect of that loan ;
- how many wells have been sunk in the tahsil of Shahdara on account of the money advanced as *taqavi* ;
- the total sum which has been given for the purchase of bullocks in the tahsil of Shahdara ;
- the total number of persons to whom the *taqavi* has been advanced in the tahsil of Shahdara ;
- the actual amount which has been realised by the tahsil authorities from the debtors in 1931 from the tahsil of Shahdara ?

The Honourable Captain Sardar Sir Sikander Hyat Khan :

		Rs.		
(a)	1931-32	28,000		
	1932-33	32,900		
		<i>Sheikhupura. Nankana Sahib. Shahdara.</i>		
		Rs.	Rs.	Rs.
(b)	1931-32 ..	9,000	15,500	3,500
	1932-33 ..	9,500	16,900	6,500
(c)	1931-32 ..	..	..	5
	1932-33 ..	..	..	10
(d)	1931-32 ..	..	..	500
	1932-33 ..	..	..	2,000
(e)	1931-32 ..	..	..	23
	1932-33 ..	..	..	32
(f)	1931-32 ..	..	..	6,120

POLITICAL PRISONERS.

581. Chaudhri Shah Muhammad : Will the Honourable Member for Finance kindly state—

- (a) the number of political prisoners in the various jails of the Punjab ;
- (b) the number of such of them as have been convicted for violent crimes ;
- (c) the number of lady prisoners convicted for political offences ;
- (d) whether the political lady prisoners are kept separate during the working hours from the ordinary female prisoners or whether they work along with them ;
- (e) the number of political prisoners who have been convicted in the Punjab although originally they do not belong to the Punjab ?

The Honourable Sir Henry Craik : If by the term " political prisoners " the honourable member means the civil disobedience prisoners, the information asked for by him is as follows :—

- (a) 323.
- (b) 26.
- (c) 21.
- (d) The female prisoners convicted in connection with the civil disobedience movement are kept separate during working hours from other female prisoners.
- (e) 48.

ACQUISITION OF PROPERTY BY DOMICILED BENGALI FAMILIES.

582. Chaudhri Shah Muhammad : Will the Honourable Member for Finance kindly state—

- (a) whether the Government is in a position to lay before the House the number of domiciled Bengali families who have acquired property and premanently or temporarily settled in the province ;
- (b) whether the members of those families have their kith and kin in Bengal and they frequently visit each other ?

The Honourable Sir Henry Craik :

- (a) No.
- (b) I do not know.

SANATPURA OF RATHAUM SIKHS IN THE SHAHDARA TAHSIL.

583. Chaudhri Shah Muhammad : Will the Honourable Member for Revenue kindly state—

- (a) the total area of village Sanatpura of Rathaum Sikhs in the Shahdara tahsil ;
- (b) the total area which is under cultivation ;
- (c) how many acres of wheat and gram are sown for the coming harvest ;

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- (d) the total acreage which is uncommanded and waste land of the village ;
- (e) how many acres of fodder have been sown for the cattle by the proprietors ;
- (f) the total number of acres of land which is being ploughed for the *kharif* ;
- (g) how many wells are in working order in the village ;
- (h) whether there is any well or wells which are not fit for drawing water for cultivation and if so, the reason ;
- (i) the total amount of debt which is to be paid by the owners to the Zamindara Bank ;
- (j) the amount which is to be paid to money-lenders and shopkeepers by the peasantry of the village ;
- (k) the total number of milch animals in the village ;
- (l) the number of registered *badmashes* on register No. 10 in the village ;
- (m) whether there is any convict of house breaking or theft in the village whose conviction is within the last five years ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : There is no village by the name of Sanatpura in the revenue records of the Shahdara tahsil. It is presumed that the honourable member requires information about village Marlpur which is given below :—

- (a) 1,247 acres.
- (b) 987 acres.
- (c), (e) and (f) The figures will not be known till the conclusion of the *rabi girdawari*.
- (d) The area of waste land is 221 acres. Canal irrigation has not been extended to this village.
- (g) 17.
- (h) None.
- (i) Government has no information.
- (j) Government has no information and accurate information cannot be obtained.
- (k) 142.
- (l) Nil.
- (m) Nil.

CASES UNDER INSOLVENCY ACT IN THE SHEIKHUPURA DISTRICT.

584. Chaudhri Shah Muhammad : Will the Honourable Member for Finance kindly state—

- (a) the total number of cases pending under the Insolvency Act in the courts of the Senior Sub-Judge and District Judge of Sheikhupura at Lyallpur ;

- (b) whether it is also a fact that all the petitioners invariably are members of the statutory agricultural tribes ;
- (c) the present number of executions which are pending in the civil courts of Sheikhpura by the co-operative department ;
- (d) the number of societies which have been dissolved during the past three years in the district ;
- (e) the number of new societies started in the year 1982 in the three tahsils of the district ;
- (f) the amount of money which has been advanced to the new societies ?

The Honourable Sir Henry Craik : The information is being collected and will be supplied to the honourable member when ready.

BUDGET—GENERAL DISCUSSION.

Mr. Owen Roberts (Non-official, nominated) : Sir, I will not encroach upon the privilege of the Leader on this side of the House by attempting to apportion the credit for a budget which has been so ably prepared and admirably presented to us. My main object in taking part in the discussion is to deal with a subject for which I have assumed a degree of responsibility to the Council, but I cannot resist commenting, in passing on some of the points made by the Honourable Finance Member in his speech. In the first place, I wish to congratulate Government on the very appreciable economies that have been effected. The labours of the Retrenchment Committee have not been in vain and the result although not all we hoped for is certainly a very appreciable step in that direction and I will add that this is exactly the type of supervision and control of public expenditure that we look to the civil service of the province to carry out—a point on which I touched last year and on which I received the support of several other members. I hope I shall not be thought to be invidious when I select the Irrigation Department for further comment but I do think that Government is to be specially congratulated on bringing the working costs of this department down to the scale recommended by the Retrenchment Committee. It is our chief public utility department and on the economy and efficiency with which it is run will depend not only the progress of the department itself but the development of the province.

The last point I wish to touch upon is the sentence in the budget speech of the Honourable Finance Member, which commences at the bottom of page 16. Reading as from the top of page 17, this runs —

Any increase in recurring expenditure, such as would be necessitated by the expansion of departmental activity, must await an unmistakable improvement in revenue receipts.

I would suggest that this be embodied for the next few years in the departmental letter heads.

This brings me naturally to the subject with which I wish to deal, that is, the question of railway freights ; because until this question is satisfactorily settled I can see no real prospect in this province of any of that increase in revenues upon which the expansion of departmental activities

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will depend. According to the second provincial forecast the wheat crop this year will be at best about 2½ million tons, barely sufficient to meet the needs of consumption. Short as this forecast is, prices are falling steadily and this can only be accounted for by the alarm inspired by the excess sowings in Sind. The second wheat forecast for the Bombay Presidency is 6 per cent. in excess of last year, the whole of the excess being attributed to larger sowings in Sind.

If the prospect is alarming to dealers it must be still more alarming to zamindars as the increase of culturable areas in Sind must seriously and permanently affect the interests of Punjab land owners, and particularly on the colonies. We do not grudge prosperity to a sister province but it would be foolish not to recognise that every extra grain produced in Sind means as much off the demand from the Punjab, from its most important customer over certain areas. On examination of the trade movements to the port, whether the grain is retained in Karachi for consumption or is passed on to Bombay or Calcutta by sea, will leave no doubt on the important part that it plays in the scheme of agricultural welfare of this province.

In reply to my question yesterday on the subject of representation made to the Government of India in connection with railway freights, the Honourable Revenue Member told us that no reply had been received and that the matter was still under consideration. I hope it is under consideration, but I am very much afraid that although the Government of India may not have had the courage to put their reply on paper to the Punjab Government, that reply has been conveyed to us indirectly in the debate on the railway budget in the Council of State. In one part of his reply to the debate—I am quoting from the *Civil and Military Gazette* of the 20th February—Sir Joseph Bhore regretted that he could not accept the suggestion to give preferential rates to certain commodities. I have gone through the debate carefully and this sentence can only refer to the remarks of two speakers. D. B. Narayanaswami is said to have urged the lowering of rates on rice and Mr. Muhammad Din is said to have asked for the reduction in freight rates specially for agricultural produce. Sir Joseph Bhore prefaced his answer by saying that

In regard to the question of reduction of rates and fares, it looked on the face of it attractive, but no one had shown how the decrease could be compensated by increased traffic.

Here Sir Joseph Bhore's information was at fault. Anyone, almost, in this room could have told him that an increase in traffic in wheat to Karachi and Calcutta followed as a result of every reduction on freights in the Punjab and continued throughout the periods the reductions were in force; this is not disputable.

Beyond this I have no difference with Sir Joseph Bhore. In fact I am very grateful to him for some of the statements he made when presenting the budget,—as reported in the *Civil and Military Gazette* of the 17th February 1933—very interesting statements. After dealing with the subject at some length he says with reference to a particular period,

Taking commercial lines alone we should have produced profits of over two crores.

He is apparently prevented only by some difficulties in accountancy from

proclaiming this result. The opening sentences of the paragraph are important and I will read them—

“Our net traffic receipts at present,” he said “amount to about 24 or 25 crores. This means that on their capital of about 800 crores Indian railways are still earning more than 3 per cent., which is what few other railways in the world are to-day in a position to do, nor must we forget the fact that this figure of net traffic receipts is arrived at after providing for the full calculated depreciation on our assets, and that the amount paid into the depreciation reserve fund at the present moment about 8 crores higher than the amount required during the year to meet that portion of our expenditure on renewal and replacements which the fund is expected to meet.”

The only comment I have to offer on this is that it would be interesting to have the views of an income tax assessment officer on the scale of depreciation.

Then, again, in a still earlier part of the same speech he informs us that

In the ten years from 1924-25 when railway finances were separated, the railways contributed during the first seven years about 42 crores to general revenues.

I am very pleased to get all this information from him, it is very difficult to get any information from railways and now we have got some facts to go upon. My inferences from these statements are that in the first place the fixing of railway rates, one of the important functions that a railway has to consider has never been carried out with any regard to the cost of the service rendered. The second point is that even as matters are the Government of India could have given us the relief we asked for without a loss of a single penny and further that it could have been done without encroaching on the privileges of any other class of customers that the railways have.

However interesting all this may be, it does not advance my cause very much. Stated in general terms the situation, as I see it, is that we have a grievance against the railways and that it has been submitted to the Government of India. The Government of India which is incidentally the largest proprietor and the only source of appeal open to us had refused to give us any redress, resulting in a state of affairs that in my opinion is intolerable. In no country in the world is the public in its relation to railways placed in the position that we are in India. I do think that it is due to us that we should have some means of redress open to us such as are open to persons in other civilised countries. I looked into the matter in England; the Ministry of Transport to whom I had an introduction passed me on to the Railway Research Institute which I understand is connected in some manner with the London School of Economics, and although they could not give me any advice on our special case they put me on to text-books on the subject. And acting on this advice I purchased certain books. Very briefly, the machinery both in America and Europe for regulating the relations between the public and railways is by means of independent commissions with mandatory powers. In the United States of America where the conditions are more or less those obtaining in India there are two sets of commissions,

- (1) An Interstate Commission and
- (2) Commissions for the separate states.

In order to give honourable members some idea of the character and scope of these commissions I will refer to the “Interstate Commerce Act” of the

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United States. The constitution of the Interstate Commission is provided for under section 11 of the Act. Leaving out words not strictly necessary to my purpose, this section reads—

That a Commission.....shall be appointed by the President, by and with the advice and consent of Senate.

Further on in the same section provision is made for the removal of commissioners under certain conditions and also prescribes a disqualification for interest and concludes with a provision that vacancies on the commission shall not impair the right of the remaining commissioners to exercise their powers. Section 12 of the Act deals with the powers of the commission. Again omitting certain lines, the section opens as follows—

That the Commission hereby created shall have authority to inquire into the management of the business of all common carriers subject to the provisions of this Act and shall have the right to obtain from such common carriers full and complete information necessary to enable the Commission to perform the duties and carry out the objects for which it was created.

Then follow the following important powers, namely, powers to execute and enforce the provisions of the Act and to require district attorneys to prosecute on the request of the commissioner; powers to take evidence and compel the attendance of witnesses and production of evidence through the courts; witnesses not to claim immunity from consequences of their evidence except that such evidence shall not be used against them in criminal proceedings; evidence to be taken on oath and depositions signed; arrangements provided for taking evidence from persons in foreign countries; fees and other costs to be paid on the same scale and in the same manner as in courts.

I feel, Sir, that honourable members will agree that if we had a commission of this type to which we could take our grievances, whether we carried our point or not, we should certainly emerge with the sense of satisfaction that we would have had a fair deal.

On this point I would suggest to Government to consider the appointment of a provincial commission forthwith or as soon as convenient and show an example to the Central Government. A state commission would have powers, not only in respect of railways but would deal with all public utility services. There would be no public utility company the conduct of which could not be brought before it. You will, for example, in a few days be opening the hydro-electric project, and as time goes on there will certainly be disputes between that body and the public as to the rates charged, the fairness of those rates and various other things and I am perfectly certain that the public will never be content with departmental rulings on its complaints. Public opinion will demand trials through an independent authority and if we had such a body there are many things which could be brought under its control and it would serve a very useful purpose indeed and I think save Government a great deal of trouble as a heavy burden would be lifted from its shoulders and whether a utility service is run by Government or by a private firm it should be equally amenable to the orders and decisions of the commission. Coming back for one moment to the answer to my question, I hope that the Honourable the Revenue Member is correct in saying that the matter is still under consideration and, if it is, I would venture to bring to the notice of the authorities this quotation from this

text-book on railway transportation which I obtained at the suggestion of the Railway Research Institute, entitled "Principles of Railroad Transportation" by Johnson & Van Metre; it reads as follows—

Charging "what the traffic will bear" seldom justifies the carrier in exacting all the traffic will bear at the time the charges are made, because such rates and fares would prevent the traffic from growing in volume and variety, and would thus interfere with the future prosperity of the railroad.

There is no doubt that this has been going on. Looking at the figures of the movement of grain from the Punjab and tracing them to their destinations must convince anyone that there has been a very considerable loss to railway revenues simply from their refusal to put their house in order in this matter.

On the general subject the same text-book observes—

The traffic officials are not especially concerned with the absolute or relative "reasonableness or justice" of the charges paid by different persons or levied upon different classes of goods, except in so far as an unjust or unreasonable charge may interfere with the profits or the growth of traffic. With the state, however, the primary consideration is the absolute and relative justness or reasonableness of rates and fares.

The latter part of this quotation may be correct in other countries but in India Government has forfeited this position by becoming the owner of railways and it cannot any longer be regarded as an independent and disinterested party. Although the considerations that it takes into account may be considerations of public interest, yet they are not those considerations which would deal entirely with the justness or reasonableness of rates.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): Sir, the budget presented to us for the next year is very pleasing to the eye but on examining it rather minutely it would look that the pleasure is more imaginary than real. The Honourable the Finance Member has shown Rs. 25 lakhs as surplus in the current year's budget and Rs. 48 lakhs as surplus in the next year's budget. If we can depend on these figures and if they come out true, there will be nothing but pleasure when we know that we are going to have a surplus of 48 lakhs at a time of great stringency. But let us examine the figures for the next year critically. Nothing is so valuable as sound criticism for this sort of measure. To adapt just a line from the great Persian poet Saib—

ہدیچ میزانے درین بازار چون تنقید ست

کوہر خود را نم سنبی درین میزان چرا

In this market there is no balance as good as that of criticism. Therefore you should weigh all your worth and ability by this balance. Now the 25 lakhs of rupees which have been shown as surplus for the current year has been made in a very strange manner. There was absolutely no doubt that the last *kharif* crop required a good deal of remission. The Council attempted last season to give its decision on this matter, but unfortunately for want of a majority the adjournment motion fell through. Nevertheless the Government were quite aware of the intentions of the elected members of this House and in fact such a motion was unnecessary. For during last year's budget discussion a one rupee cut was moved in order to urge upon the Government the necessity of granting remissions to agriculturists as long as the prices of agricultural produce did not resume their normal standard. That motion was discussed, opposed and carried by a majority and it still

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holds good. But the Government has not cared for it. No regard has been paid to it as far as I am aware. I would on this occasion remind the Government of the great dictum laid down in the Montague-Chelmsford report to the effect that the resolutions passed in the Council are the authoritative wishes of the Council and the Government must give effect to them as far as possible with due regard to its responsibility. I may point out one other fact also. During the *rabi* of 1932 a remission of some 46 lakhs of rupees was given in land revenue. Now the *kharif* of that year was even worse and the rates were not better than those that existed previously. Government gave a remission in one case because this Council had passed a resolution to that effect. But in fact that resolution also held good for the other crop too and yet no remission was given. I think the Government should have given their best thought to the wishes of the Council which were expressed in the cut of one rupee. In fact that motion was even more important than the resolution because it was a condemnation of the policy of the Government in that department and that was enough for the Government to be rather liberal in demanding revenue from the zamindar. This 1,054 lakhs which has been budgeted for the coming year is almost equal to the amount budgeted for this year. More than 700 lakhs are directly coming from the land either as land revenue or as irrigation charges. Out of the remaining 2½ lakhs more than half is coming from the pockets of the zamindars by way of court fees, stamps, excise and so on. Yet in spite of so much contribution to the exchequer by the zamindars, in fact in spite of their having kept this Government going on during the financial stringency, at a time when we are faced with the gravest possible depression in our life when the zamindars are actually dying and are reckoning the days when they would be extinct from this earth, the Government has not moved an inch to give a general remission during the *kharif* and it is the severest condemnation which I can pronounce on the policy of the Government. There is apathy and indifference to the needs of the zamindars. It is not to be understood that the condition of zamindars is not well known to the officers of Government. Most of the honourable members sitting on the official benches have been in districts and know the conditions of zamindars very well. The zamindars cannot pay the high rate of land revenue which is being extorted from them. My honourable friend, Rao Bahadur Chaudhri Chhotu Ram, in an article which he recently contributed to the press has drawn a very vivid picture of the condition of the zamindars and I cannot say that it has not been brought to the notice of the Government. But has the Government moved an inch to do something for the zamindar? I submitted last time that these things would be remembered by the zamindars when the Government approaches them with requests for help in the shape of subscriptions, war loans and things of that sort. If the Government had given remission there would not have been this surplus. It would have been much better for the Government to have helped the zamindar at this time rather than show a few lakhs of rupees as surplus which is merely on paper. I make bold to say that a good deal of the last demand of land revenue and the land revenue due on the *rabi* of 1932 has not yet been recovered. These figures are merely on paper. Just as poet Ghalib says—

دل کے خوش رکھنے کو غالب یہہ خیال اچھا ہے

It is very pleasing indeed to have a few lakhs of rupees as surplus. But has the Government done anything to give relief to the zamindar? This is how that huge income is drawn from the pockets of the zamindars and this is the jubilation which Government feels on its achievements, that there is an increase in the income side of the budget as compared with the last budget.

Now coming to the expenditure side, I see a still sorrowful state of things. Rupees 70,000 has been saved from the grants to University—an institution on which the intellect of the province depends, an institution on which people count for the education of their sons and the institution which makes them worth being called human beings as distinct from animals. Then a number of dispensaries have been closed down in villages. These people live far away from cities and if cholera or any other epidemic breaks out they cannot get any medical aid. What is worse, grants to colleges and schools have been reduced considerably. The result is that many high schools are closed. My honourable friend, the Director of Public Instruction, went the other day to see a school and that was possibly in pursuance of that policy of closing down schools. And that school stands in a place where there is no other high school within a distance of 40 miles on one side, 30 miles on the other, 50 miles on the third and 15 miles on the fourth side. But what is to be done? Money has to be saved somehow or other. This is not the way of saving money. This is not the way in which the Retrenchment Committee has asked you to save it. There are other avenues which they recommended and they should have been adopted. I will come to this point later and will point out many directions in which no axe has been applied and no retrenchment has been made. The big services continue to enjoy as best as possible. What is it that has been retrenched? Four hundred and thirty-eight assistant patwaris have been reduced and some forest guards getting Rs. 15 a month! Similar retrenchment has been shown. This is not a matter for jubilation which the Finance Department prides on. I wish them joy of their schemes and of their measures. But these things will not please the general public for whom they must care. Government must care for public opinion. It has been ignoring it all this time and has come to a sorry plight. But it must continue to ignore it. It must take into account public opinion and the opinions of those on whom it depends for its existence.

So much for the accounts of the last year which has just now closed. I now come to the year of grace 1933-34, the budget for which is before us. In this case the income has been put at 10.54 crores and expenditure at 10.11 crores and yet the Finance Department is very proud to say that it hopes to save 48 lakhs in the next year. If a man's expenditure has increased no matter for whatever reasons, he has no cause for congratulating himself upon it. The income may or may not come. This must not be an occasion for joy or for taking pride. If the expenditure had been reduced I would have been the first to congratulate this department. The income may or may not come but you have taken on yourselves an expenditure which is sure to be incurred. The surplus is only on the paper and there is hardly any occasion for joy over it. I have shown what sorts of cuts have been made in the expenditure. I admit there have been some good cuts too and I am not averse to admit the good points made in reducing the expenditure,

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but they are well known and I will not take the time of this House on them, but there is still a good deal which should have been done instead of reducing the patwaris or forest guards. The Retrenchment Committee recommended that one Financial Commissioner should be reduced. It was a suggestion as sound as one could make, and last year there was even a motion moved in this House which was rejected by a very narrow majority.

The Honourable Captain Sardar Sir Sikander Hyat Khan : It was defeated all the same.

Chaudhri Allah Dad Khan : But still it was the wish of the elected members who represent the people and it was defeated only by the help of the Treasury Benches which does not count.

Rao Bahadur Chaudhri Chhotu Ram : And a few nominated members.

Chaudhri Allah Dad Khan : I do not say that it was carried but I say that it was defeated by a narrow majority and the Government should have out of good grace taken into account the fact that a large number of elected members had voted for it, and should have said that even though you have not succeeded, we respect your wishes. But nothing of that sort was done. Government never does such a thing by which it can win our favourable opinion. Last year similarly there was a motion for the reduction of two divisional commissioners and the Government should have acted upon it as an experiment. Government does experiments in other directions where it costs a lot of money but is not prepared to experiment in directions where it saves some money. I dare say that in a single year the Punjab would not have run into mutiny or chaos and disorder by the reduction of these three officers and even if there were some difficulty felt after the experience of a year they could have restored the posts. The motion did not mean to attack any individual, on the other hand I should be sorry if I were to attack the present Financial Commissioner for Development whose ability is very well known. Nor would this economy affect him at all. He could have been provided elsewhere and there would have been hundred and one ways of doing that and if the Government could not think of it my honourable friend Chaudhri Chhotu Ram could have done for them, he knows so many clever things about Government departments. I am not discussing departments individually but I would like to make one reference about the Co-operative Department of which my honourable friend the Financial Commissioner is the head. There is such a great abundance of superfluous officers there, for instance, there is, taking from the lowest rungs a large number of sub-inspectors divided into two classes, auditors and supervisors, three or four or five for each tahsil, then there are the inspectors and then circle registrars and deputy registrars and a registrar and a personal assistant to the registrar and then on the top of this there is a financial advisor drawing to the extent of about Rs. 3,000 per mensem. Are these officers really urgently needed by the department? Even the Imperial Bank has not got such a set of officers for running the biggest concern in India. What need is there for such a large number of officers and for such an officer as the Financial Advisor on Rs. 3,000 a month? This is very very strange indeed for a Government which is in the midst of financial troubles and difficulties. Can a man of family who is in financial troubles think of

engaging so many superfluous officers whom he can very easily dispense with? Cannot the Financial Commissioner who has been connected with the Co-operative Department all his life, who possesses such a great amount of ability give sound advice to this department? Has he not the full knowledge and the ability of advising this department? Yet a financial advisor has been appointed and that at a time of such financial stringency. Then there is the Registrar who is a member of the Indian Civil Service. A very able man is taken and training is given to him for two or three months. But I know of a certain man who was trained only for a few months and who took charge of a bank in a district. Yet in spite of these there is a registrar and a personal assistant to the registrar. What has this personal assistant to do? If it is suggested that he does the office work, there is in the office a sufficient strength of establishment and if he advises the Registrar, the Registrar must be a very dull man indeed that he wants guidance from him all the time. This is a sheer waste of money and it must be stopped in the good name of Government. But when advice is offered to the Government by the opposition benches they treat it like a bitter pill and never swallow it. I will quote an example. In 1930 this Council passed the Criminal Procedure (Punjab) Amendment Act. At the time it was being discussed I pointed out to the Government that this bill would be injurious to the Government and there would be a time when it would be considered that the people offering opposition to it were the best friends of the Government and those who supported the Government including the officials were really injuring the Government. That saying of mine has come out to be true and the Government of India in a *communiqué* have announced that the Punjab Criminal Procedure Amendment Act which was applied to the Delhi province for expediting trials has absolutely failed in its object and therefore the Act has been cancelled so far as the province of Delhi is concerned. I am not a prophet but it is a matter of common sense and I do not say that the Government members do not possess common sense, but they do not make use of it, though they possess a good deal more perhaps than others and they never leave their prejudices and that is the reason why they have such experiences. If they had accepted the advice of the opposition at that time they would have dropped that Bill then and there and would have saved a lot of money. After spending a good deal of money the Government had to cancel the application of the Act to the Delhi province. But the Punjab Government has not stirred even now and has persistently gone on merrily with it. Is this the way to treat public opinion? Is this the way to show that you spend every pie to the best advantage? When the highest authority has admitted that it is no good for the Punjab Criminal Law Amendment Act to be applied to the province of Delhi, where is the occasion for the Punjab Government to continue to apply it to the Punjab? I hope that they will discontinue it as soon as possible. There are hundred and one examples in which I can show that the Government many times acts wrongly and never listens to the advice of its friends. On the other hand the man who offers that advice is treated with contempt. You probably have heard the saying which is very common in the villages that the boy who does not listen to the advice of his elders surely comes to grief. I do not mean to say that the Punjab Government is yet a boy, but it must listen to the advice of its friends. The budget which has been presented to the

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House this year although it shows a surplus, still, as I have indicated, contains no surplus. The honourable members of this House have a duty clearly laid before them and I appeal to the elected members through you, Sir, that they should oppose this budget as much as possible wherever there is a waste of money and squandering away of the hard earned money of the zamindars. Money is the life blood of the zamindars. You can take their life blood but you cannot take their money easily. I have seen people giving their blood at Kasauli where there is some institute though not under the Punjab Government. I once saw a woman with two children sucking her breast offering to sell her blood for money. This brought tears in the eyes of people but she said she could not help it for she must get money for her hungry children. Zamindars give their life blood more easily than money, and if you spend money like this in such a scandalous manner the zamindars would be ruined.

The Honourable Captain Sardar Sir Sikander Hyat Khan : No zamindar would be glad to hear this.

Chaudhri Allah Dad Khan : I am very glad to hear that. I am glad to see some liveliness on the faces of the Government members where there used to be sullenness and moroseness. I am glad I have appealed to their feelings. I am sure I have touched the inner cord of their hearts and now they will come to realize the plight of the poor zamindars and I hope they will help the zamindars at this juncture.

Now, Sir, I will come to the matter of cuts. The Honourable Finance Member has restored only 5 per cent. of the cut, like the Government of India and several other provincial governments. There is the Madras province where the cut has been restored in full. Why should the Punjab follow the Government of India? I think there is no order from the Government of India that the Punjab should follow them and restore only 5 per cent. of the cut. Why do you not follow the example of the Madras province in departing from that standard? In the case of the high officers, the cut of course does not do any benefit, but these high officials are few. The officers who get above Rs. 4,000 per month are only one or two. The Honourable the Finance Member has quoted some examples that officers getting more than four thousands of rupees and other high officials will not be much benefited by this restoration of cut, but the officers getting Rs. 400 per month or so will be benefited. But I say that the cut should not be restored in the case of persons getting above Rs. 400, as they can easily live on their income, because now a days everything is very cheap. If on a certain thing they previously used to spend Rs. 50, they can now easily spend Rs. 30 on it. Everything is cheap. I say in the case of the lower paid employees the whole cut should be restored. These are the people who are hit hard by this cut and not the people who are highly paid.

The Honourable Sir Henry Craik : Let us have your precise suggestion.

Chaudhri Allah Dad Khan : I say, that in the case of employees getting over Rs. 400 per month, no matter whether they belong to the all

India services or provincial services, the cut should be allowed to remain to the extent of 10 per cent. Above Rs. 400 the cut may remain as it is, as there is also a surcharge and super-tax. The officers getting higher pay do not feel the pinch of this cut and at the same time the restoration of 5 per cent. does not help them much. So it should remain at 10 per cent. as it has been so far. But the poor people who are getting Rs. 40 or Rs. 50 per month, are hit very hard. In their case the whole cut should be abolished. The lower paid people are feeling the pinch very much harder than the high officials. During the war this very principle was adopted and not only by myself but perhaps by all officers of the Government that the man who was rich was touched to the utmost and a good deal of money was taken from him in the guise of subscriptions, and war loans, etc. Those people who were poor were not touched. The war was an emergency, and we are now in the midst of an emergency. The Punjab Government should treat the humbler people leniently. They deserve to be treated leniently. Now, look here, same percentage has been taken from the man who gets Rs. 50 per month, and the same percentage from the man who gets Rs. 500 per month. It is very strange.

The Honourable Captain Sardar Sir Sikander Hyat Khan : This is not the fact. There is the question of surcharge.

Chaudhri Allah Dad Khan : The surcharge is paid by those who are getting more than Rs. 4,000 and not by every man.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Every body who pays income-tax.

Chaudhri Allah Dad Khan : I mean super-tax. These men are serving the Government under great difficulties. I have already pointed out that the reductions of such officers as assistant patwaries and forest guards does not help the Government.

Sir, if you turn to page 101 of the budget, it will appear that 7 provincial service men have been reduced, whereas actually only 2 have been reduced.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Which department ?

Chaudhri Allah Dad Khan : Forest Department.

The Honourable Captain Sardar Sir Sikander Hyat Khan : It is incorrect.

Chaudhri Allah Dad Khan : It is correct. On page 101 it is stated that 38 deputy rangers have been reduced, but actually 2 have been reduced and 3 foresters have been increased for this year. In the case of forest guards their number has been reduced from 98 to 94. You will see that 4 have been reduced. These people were getting Rs. 17 per month. So, this is due to some oversight. But still I say that there has been practically no saving for the next year as I have pointed out.

The Honourable Captain Sardar Sir Sikander Hyat Khan : All this is due to lack of understanding.

Chaudhri Allah Dad Khan : It is there on page 101 of the budget. If you will correct me I shall be grateful as you have already corrected me in the case of surcharge.

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Before I bring my remarks to a close, I will again appeal to the Punjab Government that it should give remission for the last crops. We are also moving a resolution on the subject. As far as revenue is concerned, I say the income of 10 crores and 49 lakhs is not realizable. There are 85 lakhs of rupees coming from the Lyallpur district. My honourable friend the member for Lyallpur as also many other members, have given notice of a motion to the effect that the land revenue of Lyallpur should be reduced to 50 per cent. So, 85 lakhs of rupees cannot be expected to be forthcoming. May I ask whether the Punjab Government is not going to give a single pie of remission?

I say we must be very strict in passing the budget. We must make substantial cuts in order to relieve the poor zamindars. This year we must save some money for the poor zamindars and we must carry substantial cuts which appear to be very superficial.

Chaudhri Shah Muhammad (Sheikhupura, Muhammadan, Rural) (Urdu): Sir, I endorse all the remarks that have been made by the previous speakers with regard to the labour that has been spent on the preparation of the budget. We are much obliged to the Honourable the Finance Member and the Finance Department for the pains they have taken to present to us such a lucid budget. After these preliminary remarks I would like to make a few observations with regard to different departments. First of all I take up the Agricultural Department. So far as this department is concerned, my views are anything but optimistic. I am not saying it at random but I really mean it. There is no hope of improving agriculture either through the efforts of this department or by some other means. In the near future the price of cotton will have a further fall and this fall in its price will be due to its production on a larger scale in another province, the soil of which is comparatively more fertile and more suited for its growth. Hence we cannot rely upon agriculture for the prosperity of our province. The real prosperity of a country depends upon its industrial developments. In the past we have been trying to move the Government to do something for the improvement of agriculture but in view of all that is being done or that has been done in other countries of the world we find that all our efforts have been misdirected. The energies that we directed for the agricultural improvement ought to have been applied for the development of our industries. Had we done this we would have achieved a higher degree of success in the uplift of our country. In the past we have been criminally ignoring our Industries Department. In the budget only 9 lakhs have been set aside for this department, and I believe a major portion of this sum must be going into the pockets of the officers and staff as their pay and other emoluments. In a province like ours which is as big in area as France it is ludicrous to point out to a few looms at Ferozepore or a few mills at Shahdara as representing the industries of the province. Under the present circumstances, we cannot hope to compete with Europe or America where things are manufactured by the help of machines. If Government is really interested in the welfare of the zamindars they should take steps to industrialise our rural areas. If silk, sugar, lac and other such factories are started in the rural areas it would mean a good deal of help to these zamindars. The zamindars will find work and unemployment will diminish amongst them.

Their economic condition will improve and the necessity for making requests for remission will cease.

My next submission is that with the increase in the prices of the country liquor the illicit distillation has also increased to such an extent that at present liquor is sold for eight or ten annas per bottle. If the price of the country liquor is decreased the people will also lessen illicit distillation and again begin purchasing it from the contractors thus making it possible for the Government to make more money out of the Excise Department. Drink is an evil and I think a policy of total prohibition should be introduced, but if the Government cannot forego its income from this source then I should suggest that it should reduce its price so that it may become possible for the people to purchase it and pay tax on it. Here I may also mention that at present there are two excise superintendents. I think one is sufficient and if he is placed under the revenue assistant he can prove himself of immense good to the department.

The next point that I want to bring to the notice of the House is with regard to the Agricultural College at Lyallpur. In this college many tractors are kept but no demonstrations are given for the purpose of benefiting the zamindars. Then again, in this college there are many research scholars who spend a good deal of money on research works but to no purpose. They have not proved themselves of any good. Only money is wasted on them. Therefore all research work should be stopped.

My next submission is with regard to the agricultural farms. If you ever take the trouble of paying a surprise visit to these farms, you will find that no work is done in them. These farms have done no good to the zamindars. I do not mean that they should be stopped but what I mean is that their working should be improved. At present they are nothing but a fraud. The work of these farms is to acquaint people with different sorts of seeds and their prices. This is a work which can be done very easily by publishing a few posters giving names of seeds and their prices. Sir, these farms are useless and their maintenance is merely a burden on the Government Exchequer. Then there is our poultry farming. I wonder how many times the Agricultural Department has tried to explain to the zamindars what poultry farming means, in what way it can be made profitable and how it should be started.

Then, there is our Education Department. In these days of struggle it is of utmost importance that we should impart education to our masses but the Education Department has done nothing in this direction up to this time. In order to keep ourselves abreast with the rest of the world it is necessary that our women should receive education. Therefore, it is our duty to persuade them to get education. The Education Department should direct its energies to educate our women. If education is made popular amongst ladies it would prove of immense help to us.

The next observation that I want to make is with regard to the Government servants who are due to retire but who are still kept in service. Such Government servants as have completed their period of service should now be asked to retire and in their places young men who are in every way qualified may be appointed. There are many extra assistant commissioners;

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district superintendents of police and many other such officers who are due to retire. The Government should now ask them to retire. Although personally I am against any sort of retrenchment, I fear it cannot be helped. We must find employment for our youngmen, so that they may not go about spreading discontent. When I say that retrenchment should be made, I do not mean that you should retrench only subordinate services. When you bring subordinates under retrenchment it means you spread discontent in the country by throwing so many men out of employment without effecting any saving in the real sense. But when the higher officers with very fat salaries are brought under retrenchment it means you make a saving without spreading discontent against you. The same saving which can be effected by throwing many subordinates out of employment can be made by retrenching a few higher service men.

Then, Sir, there is the Co-operative Department. When this department was started I was very much optimistic about the results which I expected would be achieved by it. But when I witnessed its working I was shocked. The same department which proved itself a blessing in some other countries, when started here did a lot of harm. In countries like Denmark and others the co-operative movement has achieved no small measure of success in the uplift of the people but here it has resulted in an additional trouble to the zamindars. A *sahukar* debtor is comparatively better than these co-operative societies. The zamindar is so hard pressed that he would be quite prepared to take every thing, even death, if offered as a loan. The co-operative societies blindly advance loans to them. They never try to see whether their creditors will be able to pay the loans back. These societies without considering the zamindars' paying capacity advance big sums to them. Later on they find that are unable to pay back their loans. Consequently they get their lands attached. In the case of a *sahukar* you can very well pay him by instalments or even go so far as to threaten him in order to postpone the realisations of his debt, till some other more convenient time. But in the case of these societies you cannot do it. You must return the loan without any hesitation, without any demur whether by pawning your household articles or by mortgaging your land. The co-operative societies when they realise their debts they are merciless and remorseless. In order to fully appreciate the amount of hardship the rural population is experiencing at the hands of these co-operative societies one has only to cast a glance at the vast number of insolvency petitions filed by the zamindars in the courts of various senior sub-judges throughout the province. I have always been an ardent admirer and am even now a staunch advocate of the basic principle of the co-operative movement, but my only complaint is this that the working of our co-operative societies is highly unsatisfactory and excessively detrimental to the interests of the poor zamindars. At the present time of financial stringency and acute agricultural depression the co-operative societies ought to have granted liberal concessions to their zamindar debtors. But what are they actually doing? They obtain a decree against their debtor, effect a liquidation of his accounts, declare him insolvent and then hasten to show him the prison door. I do not find words to adequately condemn this heartless attitude. I hope

that my honourable friends who do not see eye to eye with me will excuse my rather bitter criticism of the co-operative department. The sentiments I cherish about the *bania* are best known to me, but when I judge him in comparison with these co-operative societies I feel constrained to consider him by far a better creditor.

Furthermore I am very glad to learn that the white elephant that had caused a good deal of anxiety and consternation in our financial circles for the past several years is nearing its end. Really it is the occasion to offer thanks to the Almighty that He has granted us the much coveted boon of witnessing the completion of the hydro-electric scheme. It is a matter of no small gratification to note that the Government is effecting the Indianisation of services specially as far as the establishment of the Mandi Hydro-Electric Scheme is concerned. The efforts of the head of the department, that is, the Chief Engineer, deserve our sincere gratitude. He is doing all he can to recruit Indians in the various branches of the department. But in this respect I want to make one complaint to him and that is this. The Indians who are taken in this department are given very scanty salaries. Thirteen Indians who have been recently recruited have been given only Rs. 150 each a month although all of them are highly qualified men. I have seen their diplomas, degrees and testimonials. Every one of them possesses vast knowledge of the kind of work assigned to him. On the other hand the salary of the Deputy Engineer is Rs. 13,000 per annum and his Secretary is drawing Rs. 700 per mensem. I think it would be in the fitness of things if this vast discrepancy between the salaries of the Indian and non-Indian officers is removed to encourage the large number of able Indians who seek Government service. Moreover if you reduce the post of one fat-salaried officer you will be able to provide work for several able Indian young men. I know that the Government has effected considerable retrenchment in expenditure and I heartily praise this sympathetic attitude of theirs. Let us hope that in future also it will halt at nothing to effect the stabilisation of our finances.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) (Urdu) : Sir, as I have to mainly address my zamindar friends and those Government officers who represent the rural interests of our province, I hope you will excuse my speaking in Urdu. When I see the budget presented to the House by the Finance Department I feel constrained to characterise it as a rosy picture of our finances. It is because they have given out that our income will exceed our expenditure during the current year. Before I proceed with the discussion of the budget, I should like to congratulate Mr. Puckle for his successful performance of the arduous task of the compilation of this cheerful budget. He, in addition to his own duties, had to work in place of Mr. Staig and the manner in which he coped with his dual duties deserves highest commendation and sincerest gratitude. (*Hear, hear*).

The Honourable Finance Member has told us in his speech that this year's income is estimated at Rs. 10,54,00,000. By a perusal of his speech one can find out that his method of forming this estimate has been to take the income of two years, one prosperous and the other lean, and then to determine the mean of both. But if we closely examine the facts of the past few years, we can find out for ourselves that it is not safe to rely on that

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method for forming an estimate of the income. During the past five years the actual income has invariably been less than the budgeted income. In 1927-28 the Government estimate of income was 11,29 lakhs of rupees but the actual income turned out to be 10,90 lakhs, that is, 39 lakhs less than the budgeted estimate. For 1928-29 the Government's estimate of income was 11,22 lakhs and the actual income was 10,48 lakhs, that is, 79 lakhs less than the estimate. In 1929-30 the income was estimated at 11,50 lakhs and the actual receipts amounted to 10,40 lakhs, that is, the income was minus 1,10 lakhs. Then in 1930-31 the Government estimated the income at 10,95 lakhs and the actual income was 10,00 lakhs, that is, 95 lakhs less than the budgeted estimate. In 1931-32 the estimated income was 11,18 lakhs and the actual income was 9,61 lakhs, that is, full 1,57 lakhs less than the expected income. For 1932-33 it was estimated that the income will amount to 10,38 lakhs and the revised budget for that year shows it to be 10,09 lakhs, that is, 29 lakhs of rupees less than the estimated income. In short the Government have been able to realise full 5,09 lakhs less than their estimated income during the past six years. If the state of affairs is such, what guarantee is there, I should like to know, that you will be able to realise the entire amount of income estimated in the present year's budget?

For my part I cannot imagine in my wildest dreams that you will be able to realise your estimated income. Heaven knows why all the Governments of the country have thought it fit to prepare optimistic estimates for their next year's income! The budgets presented by the United Provinces and Madras Governments are equally fanciful and fraught with reckless optimism. It might be suggested that the Government has deliberately adopted this course of action. They have, by hook or crook, presented balanced budgets this year and when after the inauguration of the reforms, the peoples' representatives find themselves involved in monetary embarrassment, the Government will come forward and say, "When matters were in our hands we ran the work smoothly; our budgets were balanced, our finances were stable; now you have made a mess of the whole thing, this is all your doing; this is all due to your inefficiency." I, therefore, warn the Government beforehand that difficulties will arise on account of such wild estimates of income and all future troubles will be deemed due to those who support and form such fanciful estimates about the income of this land of poverty-stricken and famished agriculturists. On the other hand, if you honestly believe that you will be able to realise this amount and you have resolved to strain every nerve and employ every method to realise so much income I beg to inform you that this will be tyranny, pure and simple. You will not be able to realise the heavy dues from the already famished and insolvent zamindar without squeezing out his life's blood.

Then again Sir, the Government has decided to restore the five per cent. cut in the salaries of the Government servants. Ten per cent. cut in their salaries added something like 32 lakhs to the provincial revenues and by the restoration of half of this cut, there will be a decrease of about 16 lakhs in our revenue. You have deprived the province of a large sum while you have not given anything substantial to the Government employee. I think that even he is not satisfied with the amount restored. I am really at a loss to understand the advisability of depriving the province

of a useful source of income when it has not had any very good result in the way of winning the confidence and contentment of the Government employee. Chaudhri Allah Dad Khan has suggested that the cut ought to have been restored in the case of employees drawing less than Rs. 400 and that in the case of the rest it ought not to have been restored. I do not think that this will do much good. I do not know what the Punjab Government suggested when their opinion was invited by the Government of India about the restoration of the cut, but if they suggested the restoration of half of this cut I do not think that they offered a sound suggestion. What is the good, I ask, of restoring Rs. 12 per mensem to an Honourable Minister?

The Honourable Sir Henry Craik : I and my colleagues would be quite willing to continue to pay the ten per cent. cut if we knew that the whole amount would go into the coffers of the Punjab Government. But unfortunately that is not allowed.

Khan Bahadur Sardar Habib Ullah : I am very grateful to the Honourable Finance Member who has shown his readiness to make such a sacrifice. I hope that other Government members will not be slow to emulate his noble example and will readily agree to make sacrifices for the sake of this land when time calls for it. I want once more to impress upon the House that the restoration of three rupees to a man getting one hundred rupees will be of no use but if you do not pay him this insignificant sum you will bring Rs. 38 lakhs into the coffers of your province.

The Honourable Captain Sardar Sir Sikander Hyat Khan : But now a surcharge will also be levied on the Government employees.

Khan Bahadur Sardar Habib Ullah : If this is the case then you will be able to satisfy neither your employees nor the province as a whole. The only advantage will accrue to the Government of India. Your Government does not stand to gain anything by this arrangement.

The Honourable Captain Sardar Sir Sikander Hyat Khan : This is what the Finance Member was saying. We proposed the retention of the cut but the Government of India was not agreeable to that.

Khan Bahadur Sardar Habib Ullah : Another point that I want to place before the House is with regard to the recommendations of the Retrenchment Committee. The economy to the extent of two-thirds of the recommendations of this committee has been effected. It is a matter of pleasure and it speaks well of the Government who have in so short a time and so willingly given effect to the recommendations of the Retrenchment Committee. We are grateful to the Government and its officers for acceding to our requests regarding the curtailment of expenditure. The only request that I want to make in this connection is that they may now also accept the recommendation of the Retrenchment Committee with regard to the curtailment of expenditure in the rest of the departments. What I mean is this that in so far as the Government has accepted the recommendations of the Retrenchment Committee to the extent of two-thirds, they may now also make arrangements for accepting the recommendations of that committee as regards the remaining one-third.

The Honourable Captain Sardar Sir Sikander Hyat Khan : The Government was quite prepared to accept the recommendations in their entirety but it was the Council that objected to it.

Khan Bahadur Sardar Habib Ullah : If it is so, it is really deplorable. If you try to carry out the recommendations of the Retrenchment Committee to the extent of the remaining one-third also I hope the Council will certainly make amends and will willingly agree to help the Government in this behalf. Still there is sufficient scope for curtailment of the Government expenditure. The Government, if they try, will certainly succeed in effecting more economy.

Then the Honourable the Finance Member said something with regard to the conversion of the debt we owe. So far as his remark regarding the payment of the debts are concerned, I quite agree with him and say that the present time is very suitable for discharging all the provincial debts. The rates of interests are very low. If it could be arranged money may be borrowed on lower rates of interest in order to discharge all the provincial debts on which we are paying very high rates of interest. In these days rates of interest are 3 or 4 per cent. But the rates of interest which we are paying are about 6 per cent. If we borrow money at 3 per cent. in order to pay back the debt we owe we will be saving at least half of the money which we are paying as interest on our loans. We may be paying something like 40 or 45 lakhs as interest on the money we have borrowed. But if some arrangement is made to pay back this money in the way I suggested or in some other way I think we would be saving about 20 or 25 lakhs. This is not a paltry sum. Here I may also add that the Government should also see their way to reduce the rates of interest they charge on the money they advance to the zamindars. On loans that are given by the co-operative societies, and the *taccavi* loans that are granted by the Government lower rates of interest may be charged. This will help the zamindars a good deal.

Now, I will make a few submissions to the Honourable Revenue Member. At the time when the new reforms under which the present councils came into existence were enforced we were very optimistic about the future of our province. We thought that there would be our ministers and members and that they would do their level best to bring prosperity to this country. We hoped that they would accord their full and sincere sympathy so far as our aspirations were concerned. But after experiencing all that the council or our Indian ministers or members did or achieved I am sorry to say that it is not even the shadow of all that we expected. In the opinion of the people, nothing substantial has been achieved by us or by our representatives on the Government benches. All the revenue members have been very talented men. The Honourable the present Revenue Member is an able man. His predecessor the Honourable Mian Sir Fazl-i-Husain was an exceptionally clever man and the later's predecessor Sir Sunder Singh Majithia was also a man of high reputation but when we see what they have done or achieved we find that either they made no efforts or if they did it resulted in nothing. None of them tried to approach the Central Government or the Secretary of State for India with a request to amend the land revenue rules for the benefit of the poor zamindars. This law is most unjust and causes too much inconvenience to the zamindars. I shall feel

obliged if the Honourable Revenue Member will kindly throw some light on this subject. I know Mr. Calvert cannot see eye to eye with me and in reply he would say that in all the countries of the world such rules exist and land revenue is charged according to those rules. But my contention is this that nowhere are the land revenue rates so high as they are here in this country.

Then again, much injustice is done in the application of the rules with regard to *abiana*. When the rates were enhanced the Government argued that as the prices of agricultural produce have increased, the zamindars are in a position to pay higher rates of *abiana*. The Council agreed to this and consequently the *abiana* rates were increased by 25 per cent. Now the prices of agricultural produce have gone down and we are clamouring for a reduction in the water rates but the Government are quite deaf to our request. It is not only that the Government charge higher rates of interest but they charge all the same even if they do not supply water. We have approached His Excellency the Governor and also the Honourable Revenue Member at various times individually as well as in the form of a deputation with requests to lower the water rates but we have always received the answer that water is a commodity which is sold to the zamindars for a particular price and it is to be done on business lines. This is the answer which has been repeated every time we made an effort to get the water rates reduced. I say let the Government give me the contract of some canal and I will see that after reducing the water rates considerably I will also make out a good deal of profit for myself. As my friend, Mr. Owen Roberts, said, in other countries prices and other charges, for example railway freights, are fixed by commissions. Let the Government appoint an independent commission for the fixation of water-rates. In all the civilised countries the prices are fixed by the mutual agreement of the proprietor, the manufacturer and the consumers. As far as the suggestion of Mr. Owen Roberts to appoint a commission to determine the reasonable amount of railway freights is concerned, that

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matter, perhaps is the concern of the Government of India. But I want to urge that efforts be made to determine the reasonableness of the excessive *abiana* rates which are levied on the zamindars. It is high time that steps should be taken to relieve the poor agriculturists from the cumbersome load of the unjustifiably high canal charges. We do not and cannot object to the Government's making allowance for their establishment charges, general expenditure and the interest to be borne on the debts incurred for various canal improvement projects. But what we demand is this that sympathetic efforts should be made to curtail the canal expenditure as far as possible and a corresponding reduction be effected in the amount to be realised from the zamindars.

From canals I proceed to the Forest Department which is under the Honourable Revenue Member. This is one of the most top-heavy departments. There are a large number of officers for whom there is no work to be found. This is a fact which is admitted by the Government. They are making retrenchment but there are so many officers who cannot be retrenched on account of the service rules. Their being superfluous is admitted by the Government but they are helpless in the matter. I ask, why did you ever employ such a swarming number of officers so carelessly and without

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paying any regard to the fact that there must also be work in order to retain them in service? Did you think that it was fair to squander the public money in this manner at the time when our finances were good.

The Honourable Captain Sardar Sir Sikander Hyat Khan : One had naturally to spend money at the time of the inauguration of the reforms.

Rao Bahadur Chaudhri Chhotu Ram : This is the state of affairs in a reserved subject.

Khan Bahadur Sardar Habib Ullah : I have some practical experience about forests and I am in a position to make some suggestions for the improvement of our forests. I find that at present the Government are not doing anything in the way of planting new forests. If they will not take early steps to plant new forests especially at low hills they will have to face a lot of inconvenience in the end. I invite the special attention of the Honourable Revenue Member to this matter of great importance.

There is one thing more which deserves the Honourable Revenue Member's serious attention. There has been a considerable lack in the supply of canal water this year. We have to judge like all thinking men that if there is a decrease in the supply of canal water this year it may continue, therefore, we must do something to get rid of this trouble permanently. I as a laymen want to make a suggestion here. I think if we could construct a number of dams at different places some of our difficulty may be removed. Perhaps my suggestion may not be practicable on account of high cost but it is your duty to think over the matter and try to arrive at some possible conclusion.

I may say a few words about the *barani ilaqas*. It is needless to relate the sad tale of the misery of the *barani ilaqa* people of Mianwali, Hissar and Rohtak districts. Their sorrows are too well known to the outside world and the honourable members of this House. If the Council appoints a committee to make a tour in these *ilaqas* and witness the scenes of untold misery I assure you that heart-rending facts will come to light. I understand that Government has very graciously established a famine relief work of Rs. 20,000 to help the poor and the needy of this *ilaqa* but that is a very small sum and it will not meet the necessity of the case. (*Mr. Calvert :* A fund of Rs. 40,000 is established). But this sum is also insufficient to save the swarming sufferers from the pangs of starvation. I have a village in a *barani ilaqa* and when I go there in winter scenes of incalculable hardship present themselves before my eyes. There are people who do not enjoy a hearty meal even for a single day in the year. There are people who hardly find a few morsels of coarse food to fill their stomachs once a day. And there are people who are totally ignorant of the bliss of being belly-full.

The Honourable Captain Sardar Sir Sikander Hyat Khan : It is because you visit that place in winter that you witness such scenes.

Khan Bahadur Sardar Habib Ullah : No their condition is the same throughout the year. Such is the hardship these people are subjected to, that they cannot find enough water to drink in the days of scorching summer. You are here thinking of adding Rs. 3 to a person who gets one hundred rupees per mensem. Have you ever thought of the sad plight of those poor dumb sufferers?

There is one thing more which I want to ask the Honourable Revenue Member. When he used to sit like us on these benches he suggested that a reserve fund should be established to meet all cases of emergency. I hoped that no sooner he went to occupy a seat on the Government Benches than he would make it a point to give this suggestion a practical shape. But God only knows why he has changed his mind when he has come to power.

The Honourable Captain Sardar Sir Sikander Hyat Khan : The only difficulty is that funds are not available for the launching of that scheme.

Khan Bahadur Sardar Habib Ullah : All I can say is, where there is a will there is a way. You should try to follow the example of the Finance Department. When they want to push on a scheme they manage, somehow or other, to find the money to bear its expenditure. If the Honourable Revenue Member will seriously set himself to the task of establishing the reserve fund, I am sure that he will be able to find the requisite amount of money. This year's budget, for instance, gives us a huge sum of surplus money. This can be utilised for the establishment of the reserve fund.

The Honourable Captain Sardar Sir Sikander Hyat Khan : This surplus money will go to pay off the debts.

Khan Bahadur Sardar Habib Ullah : Such demands on your exchequer will not go on for ever. You will be able to find funds to open the sinking fund even after meeting them.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I did make the proposal but it was dropped on account of the absence of one member. Moreover, we were paying Rs. 60 lakhs to the Government of India at that time.

Khan Bahadur Sardar Habib Ullah : Furthermore, it is urged with great emphasis by some people that we ought to take effective steps to encourage and popularise industries in this country. I remember a certain gentleman having proposed to establish a cloth-mill at Fatehabad—a small town comprising a population of four or five thousand people—on the ground that the place promised to be a good cloth market. I do not deny that industry is a good thing but I would rather reserve my resources for the agricultural uplift of my province because I am positively convinced that our salvation lies in the betterment of agricultural conditions. Factories are not a sure remedy of our financial difficulties. In this connection I want to quote the opinion of an economist of great renown, I mean, Dr. Radhakamaul Mukerjee. He presided at the Indian Economic Conference which was held at Delhi and opened by the Honourable Mian Sir Fazl-i-Hussain. I want to invite the attention of this honourable House and especially that of the Honourable Minister for Agriculture to these words of his which are reported in the *Tribune* of 28rd January, 1933.

“ In his concluding address before the Indian Economic Conference, which closed its session at Delhi Dr. Radhakamaul Mukerjee, the President, reiterated that taking stock of the economic conditions of India to-day the situation was one of unrelieved gloom. He alluded to the remarkable development of agriculture in the west in the last decade as compared with its stationary condition in India. For the last twenty years her total cul-

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tivated area did not show any marked trend of increase, while the population increased by as much as about 40 millions. In wheat the actual diminution of the yield from about 760 lb. per acre to 600 lb. an acre in the last decade as well as higher costs of cultivation were in no small measure responsible for the disappearance of India from the world's wheat market.

While agriculture was on the downward grade, the world depression came on and had nearly exhausted the Indian peasants' scant savings and capital."

Now, I draw your attention to another valuable paragraph of his reported speech. Here he suggests a remedy.

"Among the remedial measures he urged the partial cancellation of irrecoverable agricultural debts, reduction of the decretal amount awarded by courts by at least 25 per cent. partial suspension of the collection of rent and revenue, temporary restriction of the forced sale of land, government intervention for the sale of certain agricultural produce and expenditure on public works. Such measures had been adopted for the relief of farmers in several agricultural countries in the west, and these should be considered without further delay in the provincial legislatures in India to meet the present emergency."

I may, meanwhile, point out that he highly appreciates the protective duties imposed by the Government of India on several imported commodities. Had my urban friends been here these words would have proved of immense edification to them.

On account of protective and revenue tariffs, manufactures have gained, but agriculture has lost more. It was the old conflict between the urban industrial and the rural classes, in which the former was gaining the upper hand. The world is now passing through the first phase of an agricultural revolution and the Indian peasant with his uneconomical holding, his conservatism and his load of debt cannot face the competition in the world's agricultural markets, weighed down with the new burden of protective and revenue tariffs. Agricultural protectionism, as initiated for imperial Germany by Chancellor Bulow, and in even wider sense of the term, including the rationalisation of agricultural production prices and marketing, of land tenures and revenue policies, ought to be the chief feature of a planned Indian economy in order that her level of agriculture might be raised to the standard of her competitors. Agricultural protectionism should be the economic watchword in the federal India of future in order that India can emerge, successfully from the present depression, and enter hopefully upon a period of continued prosperity and progress.

This is an argument advanced by an illustrious economist of the country in a public speech. Yes, it is true that so long as the agriculture of this country is not improved adequately, a stable Government and a prosperous country will remain idle dreams or ideals impossible to achieve. Now, I want to draw the attention of the Government to another matter of great importance. The duty which is imposed on sugar by the Government of India has its effect on almost all the provinces of the country. Evidently the Government's intention by imposing this duty was not to benefit the solitary mill-owner. What they sought by encouraging this new industry

was to benefit the grower, the mill-owner and the consumer alike. I take this opportunity of informing the Government that at least in the Punjab the whole advantage of this protective duty has accrued to the mill-owner. It is because they buy the sugarcane from the zamindar at the rate of 2 or 3 annas per maund and sell sugar at the rate of 9 or 10 rupees per maund. So neither the grower nor the consumer stand to gain anything by the imposition of the protective duty on sugar. It is, therefore, the duty of the Government to help the producer of the raw material and frame some such law as to make it impossible for the mill-owner to buy sugarcane at a rate less than 7 or 8 annas per maund. The Government are in a position to effect such stabilisation of the rates of the commodities. *Gur*, for instance, is selling at the rate of Rs.1-8-0 or Rs. 2 simply because it is an unprotected commodity. But sugar, on the other hand, is selling at the rate of Rs. 9 or Rs. 10 per maund simply by virtue of a protective duty being imposed on imported sugar. If this had not been the case the producers of Jawa and other places would have flooded our markets with much cheaper sugar. The Finance Department should, therefore, take immediate and effective steps to check the cheap sale of the sugarcane and impress upon the Government of India the necessity of framing some law to achieve that end.

(At this stage Mr. President left the chair and it was occupied by the Deputy President.)

Now, I will make a few observations with regard to the Education Department. It is not very long since the present Education Minister took charge of the Education Department. His predecessors were like him very able men. But, neither he nor his predecessors succeeded in launching some beneficial policy with regard to the system of education. If they had tried to improve upon the present system of education they should have certainly succeeded. To have started a few more colleges was not very difficult. Even Mr. Gons or Williams could have done it. We wanted some real change in the system of education by our Ministers, who understood the country better. By the present system of education the health of the students deteriorates and their intellectual capacities also decrease. I remember once I took a graduate to a high Government officer. This gentleman who was a European after hearing my request that he may kindly take my man in his office told me that he wanted to see the candidate. I presented him before the gentleman and after seeing him he said that if the candidate had not been so highly educated he would certainly have taken him. He was right in returning this answer to me, for our graduates are very weak from the point of view of health. Education has a marring effect on them. They become short-sighted, lean bodied and sickly in appearance. I request the Honourable Minister for Education to introduce some such change in the system of education by which better citizens who may be of some use to the country can be produced. The Honourable Minister for Education has been to Europe and has seen educational institutions there, he can if he so likes introduce some better changes in the methods of education.

My next submission is that compulsory education may be introduced in real earnest and not in the way in which it has been introduced at the present time by the municipal committees and district boards. This House appointed a committee for the consideration of ways and means by which

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compulsory education could be enforced. The Director of Public Instruction was its president. This committee submitted a report but no action has been taken on that report and so all the labours of that committee are absolutely lost. The Honourable Minister says that nothing can be done without money. No doubt money is most essential for every achievement but he cannot expect that money would come to him without asking for it. When on its own initiative the Government takes into its head to start some scheme it arranges for the money. It started the hydro-electric scheme and it managed to get money. Similarly, if the Honourable Minister lays a good deal of pressure on the Government and insists on remodelling the present system of education he would find the Government yielding under his pressure and supplying him with money. But the difficulty is that our ministers are never serious about anything. We want some education which may be beneficial. At present there is no need for starting more colleges. In these days of economic depression we should not produce more graduates. The same energies that we are spending on the education of the boys should now be directed to the education of the girls and the education of the adults by starting for them girls schools and schools for adults respectively. If he directs his attention to the education of girls and grown up uneducated people I think he would earn the gratitude of the people.

Next, I would like to make a few remarks with regard to the departments in charge of the Honourable Minister for Local Self-Government. I congratulate him for the zeal he has shown in the discharge of his duties as regards the industries of this province. He has done a lot for the development of industries. As regards local bodies he has not been inactive. He has done what he regarded good. Although we differed from him and it is for time alone to show whether he was wrong or we were wrong in our contentions, still it is a fact that he has done what he regarded essential according to his own lights. A very important department, that is, the department of hydro-electric scheme is also under him. His Excellency the Viceroy will perform the inauguration ceremony of this scheme on the 10th of March. I request the Honourable Minister for Local Self-Government to make this concern a paying one. It is generally regarded that this scheme is for the benefit of the urban areas and that the rural areas will reap no advantage from it. I hope the Honourable Minister will kindly see that some advantage of this scheme also falls to the share of the zamindars. If no benefit accrued to the zamindars out of it the Minister in charge will be held responsible for it and the population living in the rural areas will regard him partial to the people living in cities and towns. The scheme should be made useful to the zamindars also. It may be done by any way whether by giving them electric power for lifting water or for some other use.

The Honourable Captain Sardar Sir Sikander Hyat Khan : That is difficult, for it would require more money, about 6 crores.

Khan Bahadur Sardar Habib Ullah : You can help the zamindars by installing plants on the wells to draw water. The zamindars will be prepared to pay something as rent for the plant. It is being done in the United Provinces.

The Honourable Captain Sardar Sir Sikander Hyat Khan : No doubt in the United Provinces plants have been installed on wells for drawing water but the Government is losing instead of gaining anything.

Khan Bahadur Sardar Habib Ullah : I have made a suggestion for the consideration of the Government and it is for the Government to consider whether it can in any way give the advantage of this scheme to the zamindars. It is the zamindars who bear all the burden of the interest which is being paid for the capital spent on the hydro-electric scheme. I do not want that this blame should be laid at the door of the Honourable Minister for Local Self-Government that as he belonged to the urban areas he only kept in view the advantage of the people living in urban areas.

Then, sir, I want to make a submission with regard to the numerous beggars who are to be found everywhere in Lahore. I do not know which Ministry this question concerns but this is a real trouble throughout the province. Wherever you go you meet with beggars. You will find lepers begging in Anarkali bazar and even on the Mall. You find them even in the bungalows. I have gone to the house of the Honourable the President and have found some beggars standing there. (*A voice : Because the master of the house is very charitable*). I request the Government to take steps to remove this grievance.

Next, I would like to make a few submissions with regard to the Department of Agriculture. It cannot but be admitted that during the time of the Honourable Minister for Agriculture much improvement has been made as regards the agriculture of this province. The zamindars are particularly grateful to the department for the supply of good seed. Mr. Milne did a lot to help the zamindars so far as supply of good seeds was concerned.

Further, this department has started some research works. Much money has been spent on them. To stop them now would only mean wastage of all the capital that has been invested on them. The results of researches are not noticeable at once. They require time and patience. Perhaps in the near future some discoveries may be made by which the economic condition of the province may be ameliorated and the zamindars may become prosperous. Merely on account of the present economic depression we should not stop these research works.

My next submission is that there is one fruit expert in this province. For such a large province especially at a time when people are giving more attention to fruit growing, one fruit expert is not sufficient. The number of fruit experts should be increased. Not only the number of fruit experts should be increased but also the number of nurseries should be increased. At present there are some nurseries at Lyallpur, but they cannot meet the demands of the people. Nurseries should be established at different places in the province. In the beginning it would no doubt require some expenditure but in the long run it would bring in sufficient income.

Next, I take up the Excise Department. This department is not performing its duties according to our wishes. Three or four years back Government did take steps to decrease the number of liquor shops, but now it has reversed its policy and is again increasing their number in order to increase its own income from the Excise Department. It is an evil which should be discouraged. If the Government cannot enforce a policy

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of total prohibition it should at least try to lessen the number of liquor shops so that its consumption may be decreased.

There are now left only a few more points to which I want to refer. They are not with regard to any particular department. They are of a general nature. Government started some schemes at a time when it was difficult to say whether they were justified or not. For example, we have got the hydro-electric scheme. Much money has been spent on it and we cannot say whether it will turn out a paying concern or not. Let us hope that in view of all these things the Government, in future, will think a thousand times before embarking on an enterprise of even the smallest magnitude. There is one thing more which ought to have been dwelt upon by the previous zamindar speakers like Chaudhri Allah Dad Khan and Chaudhri Shah Muhammad and that is this. Corruption is the order of the day in every Government department. The poor zamindars have to part with some money on every occasion. The Government should, therefore, take severe and drastic action to check this evil. There is no doubt that some cases of corruption have been enquired into but that is not sufficient. The evil of corruption has assumed such a formidable aspect that it is necessary to start a virtual crusade in order to combat it successfully. One is naturally pained to note that there is no Government department where the demon of corruption is not at work. The tahsil *khazanchi* (treasurer) does not receive the land revenue collections from the zaildar or lambardar if he does not get two or three per cent. of the whole amount by way of gratification. We are greatly distressed to see that bribe is offered and accepted in the presence of responsible officers of the Government. The reader and the naib court rob the helpless litigants under the very nose of the extra assistant commissioner — the administrator of law and justice. But nobody ever cares to take these officials to task for their evil practices. It is high time that some effective measures are adopted to completely eradicate this evil and save a large number of people from its disastrous effects. I wanted to say all these things in the presence of the Honourable Revenue Member but I am sorry he is not now in his seat.

In conclusion, I would like to say one word to the Honourable Finance Member. It is just possible that your estimates of the provincial income may be correct and you may be able to realise the budgeted income. But if occasion arises to give relief to the zamindars, no consideration of balancing your budget or realising the estimated income should stand in your way of giving relief to them. During the last year you have always been averse to giving general relief to the zamindars. Although the *barani ilaga* people deserved the grant of remission no remission was granted to them. Payment of land revenue was, however, suspended at some places. But the question is how the zamindars of those *ilagas* will be able to pay at all? There have been no rains and consequently no produce from their lands. Not a single crop has properly matured in the Muzaffargarh and Mianwali districts during the last four years. Now, if moved by the consideration of balancing your budget you refuse to grant relief to the zamindars of such *ilagas* that will not be fair on your part. This submission of mine deserves your considerate attention.

Mr. F. H. Puckle (Finance Secretary) : If you, Sir, will cast your mind back into the dim past when the honourable member for the Lahore rural constituency was beginning his speech, you will remember that after praising the Finance Department for which I thank him if I may be allowed to do so, he proceeded to a criticism of the Finance Department's budgeting in past years. That is a serious criticism and it must be met seriously. On the face of it he has a very good case. In the years 1928-29, 1929-30, 1930-31 and 1932-33 and even in the current year we were rather badly out in our estimates of income. In earlier years, though I was not a member of the Council then, I remember that the common accusation made against the Finance Department was that it was always under-estimating its receipts. Now the accusation is that we are over-estimating them. And the reason is really the same in both cases. It is hardly necessary, I think, for me to go in detail into the various reasons which affect the quality and quantity of the harvests. All that the Finance Department can do, and as a matter of fact all that the Financial Commissioner for Revenue can do, as regards the land revenue estimates is to make the assumption that the year will be more or less normal. As far as fixed land revenue is concerned it is easy to estimate it with considerable accuracy, because the amount is known and you have only to make certain deductions for normal suspensions and things of that sort. It is when you come to fluctuating land revenue that you are faced with difficulties. You have got the average acreages of previous years and that is about the only things you have got. The same criteria apply entirely to estimates of *abiana* of course with this one exception that the fall in prices of a certain crop will result in that crop being sown less, and that crop may be one like cotton which pays a fairly high water rate. If you get cheap crops like *bajra* substituted for cotton, though the acreage must be exactly the same, the water rate will be considerably less. At the beginning of the year when the budget is framed we are faced with all these points, all matters of speculation. But our budgeting under land revenue and *abiana* has not as a matter of fact been very bad in the past. Until the crash came in 1931-32, when the previous bottom was knocked out of our estimates, we were generally fairly accurate; I mean the Financial Commissioner for Revenue was accurate, because his figures are generally taken with very little alteration.

So far by way of apology for the past. As regards the next year, the honourable member for Lahore rural said that I had given no reason in the memorandum for taking the particular figures which he finds in the budget for 1933-34. That is not quite correct. If he will look at paragraph 13 of the memorandum, about half way down at page 10, he will find the following remarks :—

Water conditions have been unfavourable for large sowing in *rahi*, while on the other hand the price of wheat has considerably improved. For *kh. rif* the prospects of a reasonable supply of water in the rivers seem promising, while on the other hand the continued lowness of the price of cotton will keep down the area sown to that crop.

I do not know what the honourable member himself would make of these conflicting factors. If you leave out special remissions during the last three years, the average receipts from *abiana* have been 439 lakhs. For the next year the estimate is 422½ lakhs which is 16 lakhs less than the

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average. Now, special remissions are not given either by the Financial Commissioner for Revenue or by the Finance Department. They are given by the Government and it is quite impossible for us, budgeting in January, to make allowances for special remissions which may or may not be necessary, and if necessary may not be sanctioned till June next or even later, January next. Therefore all that we can do is to take the conditions as we see them and make liberal allowance for the badness of general economic conditions and put the result down. If we do not get the right results, I do not think anybody else can get them.

The honourable member for Lahore rural mentioned the interest on *taccavi* loans. We charge on *taccavi* loans the amount of interest which we pay for our own borrowings from the Government of India *plus* a percentage of about 1 per cent. to provide for the cost of administration of the loans and to cover the ordinary normal bad debts. But as a matter of fact we lose on our *taccavi* loans. It will be found from the memorandum that we shall have remitted up to the end of 1934 rupees 25 lakhs in the last four years and one per cent. extra on our borrowing rate does not over that loss. As a matter of fact the interest on *taccavi* loans was reduced from $7\frac{1}{2}$ per cent. to $6\frac{1}{2}$ per cent. last October when the Government of India reduced their rates to us; and, although I have no authority to say so, I think the House may take it as certain that the rate on *taccavi* loans will be reduced *pari passu* with any reduction on the loans we take from the Government of India.

I do not know what to do about the honourable member from Ambala because he seems to be completely ignorant of ordinary every day facts. He has not yet discovered whether surcharge is or is not charged on ordinary income. I do not know whether he has succeeded in evading the income tax collector. He made one specific suggestion and that was that all Government servants drawing a pay of up to Rs. 400 per mensem should be exempted from all cuts and that full 10 per cent. cut should be imposed on all Government servants drawing more than Rs. 400 per mensem. He said that this proposal would bring a great deal of money to Government. As a matter of fact it will give a little over $2\frac{1}{2}$ lakhs less money. So much for that suggestion.

Chaudhri Allah Dad Khan : Can the Finance Secretary tell us what would be the exact result of my suggestion?

Mr. F. H. Puckle : The result of the honourable member's proposal would be that it would effect a saving of Rs 13,90,000 while the result of an all round 5 per cent. cut would bring in a saving of $16\frac{1}{2}$ lakhs. That means that his proposal will bring the Government $2\frac{1}{2}$ lakhs less.

I have here some figures about the distribution of salaries of Government servants which I think will be of interest to members. I think honourable members will do me the credit to believe that I am speaking at the present moment as Secretary of the Finance Department and not as a Government servant whom reductions in salaries would affect adversely. These figures are not common property and many of the suggestions made in this House are vitiated by the fact that they have been based on insufficient and inaccurate material. These figures which I have at present

are those of the Accountant-General slightly modified by the Finance Department and, I think, are correct within say one or two per cent. I have divided the figures of salaries into ten categories corresponding to various classes of income-tax payers.

Class.	Salaries ranging between.	Total expenditure.	Percentage of total salary paid.
		Lakhs.	Per cent.
I ..	Rs. 1 to Rs. 35 ..	111	25½
II ..	Rs. 36 to Rs. 83 ..	72	16½
III ..	Rs. 84 to Rs. 166 ..	61	14
IV ..	Rs. 167 to Rs. 416 ..	52	12
V ..	Rs. 417 to Rs. 832 ..	61	14
VI ..	Rs. 833 to Rs. 1,250 ..	17	4
VII ..	Rs. 1,251 to Rs. 1,666 ..	19	4½
VIII ..	Rs. 1,667 to Rs. 2,500 ..	24	5½
IX ..	Rs. 2,501 to Rs. 3,333 ..	5	1½
X ..	Over Rs. 3,333 ..	13	3

That is to say that out of the Punjab Government salaries, 67 per cent. is accounted for by salaries of persons drawing less than Rs. 416, which may be taken to be about equivalent to the honourable member for Ambala's Rs. 400, where he would draw the line between lower salaries and higher salaries.

Now, sir, it has been suggested in this House and it was suggested in one of the leading Lahore newspapers this morning that this country cannot stand the weight of the present rates of salaries. It is not my business to say whether that is so or whether it is not so. It is not my business to say whether salaries are too high or too low. What I am concerned with is the case as it appears to the Finance Department. I assume that the Finance Department has been asked to provide for a reduction of four annas in the rupee in land revenue and *abiana* by a reduction in salaries. I take it that we should leave the lowest class of Government servants alone, that is those who belong to the I class. Now I take classes II, III and IV and by way of illustration I propose to cut their salaries by 5 per cent. It will give 9 lakhs. A cut of 10 per cent. on class V will give 6 lakhs. A cut of 15 per cent. on class VI will give 3 lakhs. A cut of 20 per cent. on class VII will give 4 lakhs. A cut of 25 per cent. on class VIII will give 6 lakhs and a cut of 33 ½ per cent. on the other classes will give another 6 lakhs. The total amount of saving which a cut at these rates will produce is 34 lakhs, which is equivalent to an all round reduction of 18 per cent. in the present salary bill. The actual percentages which I have taken for cuts are, of course, given purely by way of illustration, but I can hardly conceive that higher cuts would be practical politics. The theoretical maximum demand of

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land revenue on the basis of the present rates is 490 lakhs. To give a remission of the one anna in the rupee of that sum would cost you 31 lakhs. The theoretical maximum demand of *abiana* is 460 lakhs and one anna in the rupee of that would cost 29 lakhs. Therefore the cuts that I have suggested which altogether would amount to only 34 lakhs would be only just enough to provide for a remission of one anna in the rupee of land revenue alone. So you will see

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that from the financial point of view, reduction of pay as a road towards reduced taxation is not a very hopeful avenue to explore. That is all that I have to say.

(At this stage Mr. President resumed the chair).

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (*Urdu*): Sir, as the majority of the honourable members present to-day in the House belong to the same party and represent the same interests I need not make a lengthy speech and repeat the same points which have been thoroughly discussed by my able friend the honourable member for Lahore. I will only take those points which have not been touched by him or which demand special emphasis. At the outset I want to express my hearty thanks to the Honourable Finance Member and his able Secretary whose diligent labours have resulted in the compilation of a very lucid budget despite the countless pecuniary embarrassments with which we find ourselves hemmed in on every side in these days of general depression. Their efforts in the direction of effecting retrenchment in every department and thus saving large sums of money hitherto uselessly spent, deserve our unqualified commendation. They have tried to materialise the proposals of the Retrenchment Committee as far as it has been possible to give them a practical shape and it is due to their sympathetic labours that we find our finances balanced to-day.

But as far as the estimate of the next year's income is concerned I feel constrained to characterise it as too optimistic. I can never imagine that the Government will be ever able to realise the amount of their estimated income. There is no doubt that if they will not have to grant remission in the land revenue and other agricultural dues they will certainly be able to realise the expected amount. But when I examine the condition of the crops in the province my mind is filled with grave suspicions. Both the Honourable Finance Member and the Finance Secretary have admitted in their speeches and in the memorandum that the *rabi* crop of the year is far less than even the past year's crop in respect of area under cultivation, and the probable yield. This is due to the decrease in the supply of canal water which is further due to the dearth of water in the rivers. Wheat has received its first watering, that is, *kor* watering in the month of February. Only this fact is sufficient to enable us to form an estimate of the yield of wheat during the next harvest. How can a crop mature successfully which has received its first watering in the month of February? Surely you will have to grant remissions in *abiana* and land revenue with respect to the next *rabi* crop. If you do not give remissions on that score you will have to grant them in pursuance of the revised *kharaba* rules. If the Chief Engineer and the Honourable Revenue Member accept a resolution of this House recommending an immediate amendment and modification of *kharaba* rules, they will not be able to realise the expected amount of *abiana*. So our only hope is this that we will have a good *kharif* crop and if the rain falls the *kharif* crop will give us the expected amount of income. But after close examination of facts we cannot cherish any very good hope about the *kharif* crop as well. As we all know the main *kharif* crops, cotton and sugarcane do not promise to bring sufficient remuneration to the cultivators on account of the exces-

sively low prices of these commodities. The Government, therefore, will certainly have to grant remission to the zamindars to help them out of their financial difficulty. And I am not ignorant of this fact also that they will be faced with a very knotty problem on account of there being no funds to give relief to the zamindars. Expediency demands, therefore, that they should curtail their expenditure as much as possible. I think it would be needless to give the Government this oft-repeated assurance that the zamindar is always ready to pay his dues only if he is able to do so. The fact is too well known to the Government. But they make a mistake so often in this respect. If the zamindar is willing to pay his dues by pawning his ornaments or raising loans, it is inferred that he is well off and can conveniently meet all his obligations. I urge with all the emphasis at my command that the Government should devise means to assure the prosperity of the zamindar before it is too late. I do not deny that the Government have never been found wanting in sympathy whenever the zamindar has stood in need of help. But I cannot help recollecting with great distress that he was not given any relief for the last *kharif* crop when he well deserved it on account of bad *kharif* harvest. The zamindar is groaning under a heavy debt of Rs. 1,35,00,00,000 and he has to pay crores of rupees as interest on this amount. He has lost all credit. He has tried to pull on for a while by disposing of his jewellery. He has sold the cattle which he could spare. Now, he is reduced to a most miserable condition. Sargodha and Bharwal tahsils of my district have always been considered as prosperous tahsils but now several lakhs of rupees of *abiana* and land revenue are in arrears in those tahsils. A colony officer, a deputy commissioner, a tahsildar and a naib-tahsildar have been specially appointed to realise the dues from the zamindars. But when they attempt to confiscate their property they cannot find any thing except some clothes and cooking utensils. These are the facts which should be taken note of by the Government.

Now, sir, I would like to suggest a few methods by which the condition of the zamindars can be ameliorated. If the Government finds them practicable I think it should not hesitate to accept them. The first and the foremost suggestion is the one which was suggested by the Honourable Revenue Member when he was on these benches. It is that a sinking fund may be started. It can be asked, from where the money should come in order to start a sinking fund for the benefit of the zamindars. The income from temporary cultivation is not shown in the extraordinary receipts. This income may be used to start this fund. Last year the income from temporary cultivation was about 16½ lakhs. If in every colony district one officer is appointed to encourage temporary cultivation and also to try to increase the area under temporary cultivation I am sure within a few years the income from this source can be increased to 50 lakhs. Large tracts of Government waste land are at present lying uselessly. If they are brought under cultivation for this purpose I think it would be very beneficial for the zamindars as well as for the Government. Here I may also suggest that as regards remissions to the temporary cultivators some rules should be made beforehand. Certain standards should be fixed for the assessment of crops and then remissions should be granted according as a certain crop is successful or not. This would be a sort of encouragement to the temporary cultiva-

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tors to take up the cultivation of the Government waste land. I want to lay stress on this point for, after the impending reforms if there will be any difficulty on account of the poverty of the zamindars its harm will extend not to us but to the Honourable the Ministers. Now, we can say to our constituents that our duty ends after bringing their grievances to the notice of the Government and the Honourable the Ministers. Under the reforms the conditions will change and if the sad plight of the zamindars continue to remain the same, it will be the Honourable Ministers who will be put to trouble. Therefore, it is advisable that they should anticipate their difficulty and try to remove it by improving the financial condition of the zamindars. In this country everything depends upon agriculture. So long as the agriculture of the province is not improved the Government's budget cannot be properly balanced. Therefore, I hope that the Government and the Honourable the Ministers will do their level best to start this fund in order to help the zamindars.

The next point that I would like to submit is that the Public Works Department is spending lot of money on building contracts. Its rates are very high. It is a general opinion that the rates of this department can be easily cut down. Our district board while giving its contracts followed the rates of the Public Works Department, but with a reduction of 10 per cent. in them. The tenders which the board received were even far less than these rates which were offered by the district board. If the Government takes steps to effect economy in this department I am sure it would result in a substantial saving. Our thanks are due to the Chief Engineer who has effected a good deal of economy in the Canal Department by reducing the rates of contracts of the construction undertaken by this department from time to time. The same work for which the Canal Department pays about Rs. 3,000 or Rs. 4,000 when undertaken by the Public Works Department costs them about Rs. 6,000 or Rs. 7,000. These different rates prevail in the same province and under the same Government. This disparity between the rates of these two Government departments is quite unreasonable and as such should not be allowed to continue any longer. At present I desist from discussing this point at length but when the time for moving cuts comes I will move a cut in the expenditure of this department in order to point out some defects in its working.

Now, sir, I will make a few observations in connection with the Canal Department. As I already observed our thanks are due to the Chief Engineer for reducing the expenditure which is incurred on account of this department. I will make a few minor suggestions for effecting further economy in the Canal Department. A sufficient saving can be made if the work of remodelling of distributaries is stopped. The remodelling work is only done in order to supply water to the zamindars at the tail. The remodelling work requires a good deal of expenditure. Only those *moghas* should be remodelled which actually necessitate it. The advisory committee has many a time recommended that the remodelling of outlets should not be undertaken but their recommendations have never been accepted.

The next suggestion that I want to make is that sometime back the *saim* water which used to be pumped out was discharged into Raniwala drain. But now after seeing this note I find that the removing of *saim*

water in this way is to be discontinued. It might be that the zamindars object to the supply of such a water for irrigation purposes. But the Government should have thought over this scheme beforehand. Had it undertaken it after due consideration much money which has now been wasted would have been saved. This is a matter which requires a close attention on the part of the Government.

My next submission is that the expenditure to be incurred on account of the Khanki Head as shown in the budget is too much. I fail to understand in what way this head requires so much expenditure. Sufficient reduction should be made in this expenditure. It would be better if the Honourable Revenue Member will kindly throw some light on this point.

Then, sir, there is a scheme with regard to water contracts. This scheme is at present in force. If the Government want that this scheme should prove successful they should fix some proper and just rates. If they did it the scheme will surely prove a success. Moreover, there is a complaint about the water-supply. If your *moghas* do not give more than forty per cent. of their former supply of water then I beg to point out that you do not deserve to charge full amount of *abiana*. You should make a corresponding remission in it. If you accede to this reasonable demand of the zamindars you can save them from being subjected to a lot of trouble.

Now I would like to say a few things about the restoration of five per cent. cut in the salaries of the Government servants. When the people are suffering great hardships on account of the general financial stringency, why do you allow the Government employees the same facilities which they used to enjoy during the years of prosperity? When the people suffer, it is the duty of the Government to make some sacrifice. Do you not know what the noble Prophet Joseph did under similar circumstances? When famine broke out in Egypt of which country he was the administrator, he fasted himself but gave food to the hungry and clothed the naked. Why do you not ask your officers to adopt a similar attitude? You have deprived the province of as much as 16 lakhs of rupees by the restoration of this cut and the remaining 16 lakhs will go, as I understand, into the coffers of the Government of India. This I, assure you, is not a sound policy.

Now, I want to make a few suggestions which, if adopted, will go a long way to improve the condition of the poverty-stricken millions of the country. As we all know, to our deep grief thousands of educated people are roaming about unemployed. Illiterate people can very well earn their living by manual labour but the unfortunate educated ones cannot do so. So they are having a very miserable time. It is the duty of the State to provide work for them. We all of us know the cases of many graduates, who went to high Government officials and begged them to give some kind of employment but on being told that there were no vacancies in Government service said that they would prefer real death to a living death. I should like to suggest that grants of one or two squares of land each should be made to educated people, preferably to the graduates of the Agricultural College. I understand that the grants made previously to certain students have had good results and that they are running their farms successfully. One advantage of granting land to the educated people will be this that they will make considerable progress in this line and will be a source of inspiration to the illiterate peasantry.

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Furthermore, I want to associate myself with all that was said by my honourable friend Sardar Habib Ullah about corruption and the need to bring this evil practice to an end. A very fanciful objection is often raised with regard to this matter and that is this : If one offers a bribe of his own accord how can the Government stop an officer from accepting it ? But these are all worthless excuses which are likely to be put forward by people who do not want to do anything. I know certain cases where the head of the department has made up his mind to eradicate this evil and he has been successful in his object. Mr. Perrott, Superintendent of Police, for example, wanted to put an end to this evil and abominable practice. And he had not to take any very drastic steps either. Whenever he received any reports about the conduct of certain officer under him he passed orders for his transfer to the district police lines forthwith. Now, perhaps the honourable members of the House may be knowing this fact that policemen have a very great aversion to being transferred to the police lines. It is because they are made to do some difficult work there and take very little rest. So, in a short while cases of corruption decreased to a considerable extent. Similarly, the Commissioner of our division has adopted the method of transferring the officers who are suspected to be corrupt. In this way he has been able to check corruption in the Revenue Department. So the long and short of it is this that where there is a will there is a way. If the Government will seriously set themselves to the task of putting an end to this evil they will surely succeed in achieving their object.

After this I would like to make a few observations about the retrenchment which has been effected by the Government in their various departments. And in this connection I beg to point out that the principle on which the retrenchment is made is not sound. What the Government have done is to retrench five officers where there used to be ten previously. But the more sound principle would have been to effect a curtailment in the amount of work. And this can be done very easily. If the papers be directed to the final authorities without any very great complications the orders can be pronounced more readily, and the work can also be diminished. Secondly, the old officers should be made to retire with the exception of those whose work and efficiency demand their retention in the interest of the department concerned. A good deal of saving would also be made because the Government has already reduced the grades of the new incumbents by 15 per cent.

The Finance Secretary has observed that they cannot grant any remissions with respect to the *taccavi* loans because they have to pay heavy interest on the amount borrowed from the Government of India. I want to suggest a remedy in this connection and that is this : The Government should raise a loan from some other quarter and I should hope that they will get the required amount on a comparatively much lower rate of interest. With these words I resume my seat.

Mr. E. Mayadas (Non-Official, Nominated) : Sir, I offer my congratulations to the Honourable Finance Member and his able Secretary for the budget they have laid before us, and all the labour that has been put on it, and not only to them but to all other officials that have been connected with it and other secretaries of the departments of Government, and

to every one, whether holding a high position or a low position as they have had to work over time and have had to work in hot and in cold weather.

Before I proceed further, I would like once again to draw your attention to this little statement that has been handed to us, which is this book in pink covers, and I would like to invite attention to the departments of Police, Public Works Department, Forest, Land Revenue, Jail, Commissioners' office, Co-operative Department, Education Department, Agriculture Department and the Medical Department. Sir, I have taken a little trouble to go over these figures and I find, not taking all the posts but some of the posts, that there are 46,157 posts, out of which 101 posts only are held at present by those persons who are classed as 'others.' My humble request is that if in the future there is any opportunity of recruitment and that if from among the 'others' equally efficient persons are available, they may be given an opportunity provided the department is likely to become very efficient by their being taken in.

I wish to thank the Police Department. How much they have done for us during the past year! How they have faced dacoits and other enemies of society! How they have faced bullets and how they have bravely fought to defend us! Our congratulations to those who have won distinctions and our sympathy to the relatives of those who have laid down their lives in performing their duties so nobly.

Then there is the Public Health Department. Our thanks are also due to that department for the efforts they have made in protecting us from enemies of another kind. These employees also risk their lives and sometimes they also die, whenever they have to go and fight against epidemics. At the present time the epidemic of small-pox is raging in several districts and it is the Public Health Department that is now fighting it most nobly and bravely. The Medical Department also has done a great deal of good work and our thanks are due to them for all the efforts they have put forth. At such a time as the present the rural dispensaries can be made of very great use and I think that an impression prevails that the machinery for making the rural dispensaries available for the maximum good for fighting an epidemic like small-pox or plague or cholera does not exist that there is something in the machinery which prevents a rural dispensary from being made use of to the fullest extent. The rural dispensaries are under the civil surgeons.

The Honourable Malik Sir Firoz Khan Noon : They are your servants; they are paid by the district boards.

Mr. E. Mayadas : The Health Department may make the fullest use of them. The health officer has to approach the civil surgeon for permission that he may order and direct the medical officers, and in this sometimes delay occurs. Hitherto *anti-rabic* treatment has been provided only in Lahore but from one of the books that have been supplied to us I find that *anti-rabic* treatment is now going to be provided in Multan also which certainly will prove very beneficial and will be welcomed by the public. Similarly, the Excise Department has continued to do good work in checking illicit distillation and they also have sometimes to undergo great difficulties. Their work is difficult and credit is due to them for what they have done. Similarly, our judicial officers have continued to work under great

[Mr. E. Mayadas.]

pressure and under difficulties and they have continued to dispense justice, and we are also grateful to them. We are grateful to the Education Department for what they have done last year and for what they intend to do in the current year for fighting illiteracy, although we would like to see better results but better results cannot be had very quickly. Then there is the Veterinary Department which also has done very good work. They have brought about an arrangement by which district boards can be supplied with free bulls, not in all districts but in some districts. That arrangement has been a very great help. Then a large number of veterinary dispensaries have been opened. This will prove to be of very great use. I have just a small suggestion to make for the veterinary dispensaries, that is that a special kind of low level vehicle which can be drawn by bullocks be provided at veterinary dispensaries for bringing any animals that are ill but cannot walk and cannot be brought to the dispensary, say within a radius of ten miles. If such a vehicle were made available then I think the usefulness of the veterinary dispensaries would be greatly increased.

The Co-operative Department has done very good work, specially the work of consolidation of holdings, and we hope that this work will not be at all curtailed but it will continue because this is a kind of work which costs a little but raises the value of land when those holdings have been consolidated. Then the work amongst the criminal tribes and their reclamation has been most praiseworthy. From one of the reports that have been given to us, I find that in the district of Lahore in the village Sabhra in this work of reclamation of criminal tribes over a thousand acres of land which had become jungle has been reclaimed and has been brought under cultivation and these criminals who are living there are now taking to cultivation. Then we are also informed that over six thousand children of these criminal tribes are now in schools receiving instruction.

Our thanks are also due to the Industries Department for all the useful work which they have been carrying on under difficulties. I have been given to understand that the work done by the industrial instructress has been of a very high character. That name does not describe her work correctly for I am told that her work is more of the nature of organizing than that of an industrial instructress.

I find that Rs. 1,20,000 are going to be spent on new buildings for police for their residential quarters in three different places. This expenditure is very useful and very good because I have seen in certain places that the police have really absolutely no proper shelter or accommodation and their difficulties are greatly increased when they have to work under such circumstances.

Then the Agricultural Department. We are also very grateful to them for all that they have done in continuing to supply us with better seeds, specially of cotton, wheat and other seeds and for all the research work they have been doing and specially for the fruit department from whom advice can be had which if intelligently followed is likely to bring great prosperity to the whole province.

The Council then adjourned till 2 p. m. on Thursday, the 2nd March 1933.

PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Thursday, 2nd March 1933.

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

STARRED QUESTIONS AND ANSWERS.

ARREST OF MUGHLA.

***2212. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) whether it is a fact that one Mughla of village Shanghi in the Rohtak district has been an absconder for some time ;
- (b) when he first absconded ;
- (c) whether it is a fact that he is believed to have committed several murders by using fire-arms ;
- (d) whether it is a fact that he is believed to commit these murders on payment of consideration ;
- (e) whether any action has been taken against him under Sections 87 and 88 of the Criminal Procedure Code ;
- (f) whether any persons, and if so, how many persons have been prosecuted for harbouring him ;
- (g) whether any reward has been announced for his arrest ;
- (h) whether the reward, if any, has been published in any of the vernacular papers having circulation in the south-eastern districts ;
- (i) in what districts he is believed to have committed murders and what steps have been taken in these districts to mobilise public opinion for the arrest and against the harbouring of this dangerous absconder ?

The Honourable Sir Henry Craik : (a) Yes.

(b) On the 6th June 1932.

(c) Yes.

(d) This is the belief but no definite information is available.

(e) Yes.

(f) Twenty-two.

(g) Yes.

(h) No, but the widest possible publicity has been given to the offer by other means.

(i) Hissar and Rohtak. Efforts have been made through village officials and influential persons to mobilise public opinion against harbouring Mughla and for his arrest.

REVOLVER LICENCE TO CHAUDHRI RAM SARUP.

***2213. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that Chaudhri Ram Sarup, a member of the Punjab Legislative Council, applied to the District Magistrate of Rohtak for the licence of a revolver on the ground that he apprehended danger to his life from his enemies ;
- (b) whether it is a fact that the District Magistrate refused to grant the licence applied for ;
- (c) whether it is a fact that in 1925 or 1926, Chaudhri Ram Sarup's elder brother, Chaudhri Tek Ram, then an M.L.C., had made a similar application on similar grounds and the application was rejected ;
- (d) whether it is a fact that Chaudhri Tek Ram was actually murdered in 1926 in broad day light on the Kutcheri road ;
- (e) whether it is a fact that several gun-shot murders have taken place in the Rohtak district during the last 12 months ;
- (f) whether it is a fact that there are several desperate characters at large in the Rohtak district against whom murder charge are pending ;
- (g) whether it is a fact that at least one of the absconders referred to in (f) is believed to be in the habit of committing murders as a hired assassin ?

The Honourable Captain Sardar Sir Sikander Hyat Khan :—

- (a) }
- (b) }
- (c) } Yes.
- (d) }
- (e) }

(f) Yes, but it is not known whether they are to be found in Rohtak district or not.

(g) It is believed so.

Mian Nurullah : Will the Government be prepared to take responsibility in case, God forbid, the honourable member is murdered when he goes there ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : How can Government take any responsibility if some unscrupulous persons commit murders ?

Mian Nurullah : Would the Government stand censured if these things happen ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Why, because there are some absconders ?

Mian Nurullah : Because Government has not granted the licence ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : How would the licence stop him from being murdered.

Mian Nurullah : He can defend himself.

The Honourable Captain Sardar Sir Sikander Hyat Khan : The murderer does not commit the murder in the open. He commits it surreptitiously.

Mian Nurullah : Still it will help him.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I dare say it might help him to some extent.

PROFESSIONAL TAX, DISTRICT BOARD, MUZAFFARGARH.

***2214. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether he has received a memorial from Muzaffargarh complaining against the assessment of the professional tax levied by the District Board, and if so, what action Government has taken in the matter ;
- (b) the estimated income from professional tax in the District Board, Muzaffargarh ;
- (c) whether it is a fact that the list of assesseees is prepared by the Secretary, District Board, and objections against the list are also left to his enquiry and disposal by him ; if so, whether he will please remove this irregularity ;
- (d) whether it is a fact that rates of professional tax are Rs. 2 per annum for Government and local board employees ; Rs. 4 per annum for employees of business firms and private people, Rs. 6 for *sahukars* and R. 4 for shopkeepers ;
- (e) if so, whether Government proposes to revise the rates to make them more equitable ?

The Honourable Dr. Gokul Chand Narang : The honourable member is referred to the answer given to Council question No. 544¹ (unstarred).

DAROGHA-AB-GHAGGAR IN AMBALA DISTRICT.

***2215. Kanwar Mamraj Singh Chohan :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether any person is employed in Ambala district as Darogha-Ab-Ghaggar ;
- (b) his educational qualifications ;
- (c) whether he has passed any technical examination such as that of patwari or of qanungo ;
- (d) his duties ;
- (e) whether it is a fact that there is a separate naib-tahsildar at Kalka for the sub-tahsil ?

¹ Page 20 ante.

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Yes ; a retired Jamadar of the Indian Army.

(b) Vernacular middle examination.

(c) No. For the post of the Darogha-Ab-Ghaggar no technical qualifications were considered necessary. The post requires administrative ability.

(d) (i) Supervision of the distribution of water between Patiala and Kalsia States, and British territory, and the distribution of water in the villages of British territory.

(ii) The construction of all bands and *kuls* necessary for the proper supply of water.

(iii) To attend to applications regarding *gharats*, band, *kuls* and send reports on all these matters.

(iv) To assess, recover, and credit the revenue on *gharats* into the Treasury.

(v) To supervise the royalty on Government quarries and on stones in the Ghaggar.

(vi) To make water arrangements for the camps at Mani Majra, Mubarikpur and Chandigarh.

(vii) To measure Ghaggar water, enter in the register and send fortnightly reports.

(e) Yes. His work is mainly revenue, criminal and civil. The Darogha's work is much too heavy to be entrusted to the naib-tahsildar, who has already quite sufficient work in the sub-tahsil. The appointment of a special man as the Darogha-Ab-Ghaggar was made in consultation with the Patiala and Kalsia Durbars, who pay two-thirds of the pay of the establishment.

DAROGHA-AB-GHAGGAR IN AMBALA DISTRICT.

***2216. Kanwar Mamraj Singh, Chohan :** Will the Honourable Member for Revenue be pleased to state—

(a) how many chaprasis have been allowed to Darogha-Ab-Ghaggar in Ambala district ;

(b) what are their duties ;

(c) whether they send any diaries of their work to any officer ;

(d) whether the Darogha-Ab-Ghaggar sends any diaries of his work to any officer ;

(e) whether the advisability of retrenching any of the chaprasis given to this darogha has been considered by the Government, and if so, with what results ?

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

(b) Patrolling of the Ghaggar river and supervision of the various *kuls* taken out from it.

(c) No.

(d) Yes.

(e) The Government are satisfied that all the chaprasis are required in the interests of the irrigators.

HALF-FEE CONCESSIONS TO CHILDREN OF AGRICULTURISTS IN TOHANA.

***2217. Khawaja Muhammad Eusoof:** Will the Honourable Minister for Education kindly state—

- (a) whether it is a fact that half-fee concessions announced in the Director of Public Instruction, Punjab, memorandum No. 12095-R, dated 12th July 1930, have not so far been granted to children of agriculturists and village *kamins* living in villages situated in Police Station Tohana, tahsil and district Hissar;
- (b) whether he is aware that crops after crops have failed in these villages since *kharif* 1928 and the revenue of majority of these villages is being remitted or suspended since that crop;
- (c) whether he is aware that famine test works were opened in these villages during 1930-31 and 1932-33 and thousands of agriculturists and village *kamins* with their children worked in these test works on a small daily wage of 9, 7, 5, 4, 3, 2 and 1 pice in 1930-31 and 5, 4 and 3 pice in 1932-33 respectively;
- (d) whether it is intended to issue necessary orders now for granting half-fee concessions to children of agriculturists and village *kamins* living in villages situated in Police Station Tohana, tahsil and district Hissar?

The Honourable Malik Sir Firoz Khan Noon: (a) Yes. But Tohana is not one of the areas for which half-fee concessions for agriculturists' children were sanctioned in Punjab Government (Ministry of Education) memorandum no. 12095-R., dated 12th July 1930.

(b), (c) and (d) Enquiries are being made and the matter will be considered on receipt of reports of the local officers.

APPLICATION OF MUHAMMAD SHAFI, SUB-INSPECTOR, GOVERNMENT RAILWAY POLICE.

***2218. Khwaja Muhammad Eusoof:** Will the Honourable Member for Finance please state—

- (a) whether Muhammad Shafi, Sub-Inspector, Government Railway Police, was dismissed from service by order of the Assistant Inspector-General, Government Railway Police, Punjab, Lahore, dated the 19th September 1930;
- (b) whether the said Muhammad Shafi after availing himself of the remedies provided by the Punjab Police Rules, Chapter 16, submitted a petition for mercy to the Governor-General in Council through the Assistant Inspector-General, Government Railway Police, Lahore, but the officer withheld that petition, by his memo. No. 4412, dated the 7th August 1931;

[Khawaja Muhammad Eusoof].

- (c) whether the said Muhammad Shafi in compliance with the afore-said memorandum submitted on 12th December 1931 another petition for mercy to the Governor-General in Council through the Assistant Inspector-General of Police, Lahore, but that petition was also withheld by the same officer, by his memo. no. 9048, dated Lahore, the 18th December 1931 ;
- (d) whether the said Muhammad Shafi submitted on 18th June 1932 a third petition for mercy to the Governor-General in Council through the Assistant Inspector-General, Government Railway Police, Lahore, who likewise withheld that petition also by his memo. No. 2604, dated Lahore, the 7th July 1932 ;
- (e) whether according to the instructions regarding the submission of petitions to the Governor-General in Council, the Local Self-Government alone is vested with discretionary powers to withhold petitions and why the Assistant Inspector-General, Railway Police, withheld the three petitions in question, without submitting them to the Local Government ;
- (f) whether in case the Assistant Inspector-General, Railway Police, was incompetent to withhold the petitions referred to in (a) above, the Local Government is prepared to forward the same to the Governor-General in Council ?

The Honourable Sir Henry Craik : (a), (b), (c) and (d) Yes.

(e) and (f) Government have called for the papers and after examining the petitions will decide whether the petitions should be forwarded to the Government of India or withheld under the powers vested in the Local Governments alone.

STRIKE IN GOVERNMENT HOSIERY INSTITUTE, LUDHIANA.

***2219. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that the students of the Government Hosiery Institute, Ludhiana, went on strike in the first week of February 1933 ;
- (b) the cause of the strike ;
- (c) the technical qualifications of the acting Principal ?

The Honourable Dr. Gokul Chand Narang : (a) No. Government understands that certain interested parties tried to bring about a strike but failed.

(b) Does not arise.

(c) Mr. A. N. Sayal who is temporarily carrying on the work of the Hosiery Expert, possesses the following qualifications :—

- (i) Is a graduate of the Allahabad University.
- (ii) Has studied hosiery in the Knitting Branch attached to the Central Weaving Institute, Benares.
- (iii) Has had six years' practical experience of hosiery industry.

QUALIFICATIONS OF THE HEAD-MASTER OF GOVERNMENT INDUSTRIAL SCHOOL, LUDHIANA.

***2220. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Local Self-Government please state the qualifications of the Head-master of the Government Industrial School, Ludhiana ?

The Honourable Dr. Gokul Chand Narang : The Head-master, Government Industrial School, Ludhiana, possesses the undermentioned qualifications :—

- (1) Has passed the F.A. examination.
- (2) Holds :—
 - (a) diploma of Central Weaving Institute, Amritsar,
 - (b) diploma of Government Institute of Dyeing and Calico Printing, Shahdara,
 - (c) third grade City and Guilds of London Institute certificate.

ALBERT VICTOR PATIALA SCHOLARSHIP.

***2221. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Education (a) please place on the table the list of students who have been awarded Albert Victor Patiala scholarship since 1929 till 1932 ; and state—

(b) (i) whether it is also a fact that the scholarship is exclusively a monopoly of a single community ;

(ii) whether it is a fact that the Muslim deserving candidates have generally been ignored while granting the scholarships ;

(iii) what steps the Government propose to take to rectify the wrong which is being done to the Muslim community ?

The Honourable Malik Sir Firoz Khan Noon : (a) A list of candidates who were awarded Prince Albert Victor Patiala scholarships for the years 1929 to 1932 is laid on the table.

(b) (i) No communal considerations are taken into account.

(ii) The Prince Albert Victor scholarships have always been awarded to candidates standing highest in the examination, provided—

- (1) they have not been awarded any other scholarship of equal or greater value ;
- (2) they have applied on a prescribed form along with their admission forms for the examination.

Matriculation, 1929	..	1. Charan Singh, Khalsa High School, Mahilpur.
		2. Ghasita Ram, Government High School, Gurdaspur.
Intermediate, 1929	..	1. P. H. Mahesh, Forman Christian College, Lahore.
		2. Bishambar Nath Bhatia, Government College, Lahore.

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B.A., 1929	1. Roshan Lal Kohli, Gordon College, Rawalpindi.
			2. Labhu Ram Malhan, Government College, Lahore.
Matriculation, 1930	..	1.	Topan Ram, Government High School, Mianwali.
		2.	Madan Mohan, S. D. High School, Lyallpur.
Intermediate, 1930	..	1.	Faqir Chand Auluk, D. A.-V. College, Jullundur.
		2.	Diwan Chand Bhandari, S. D. College, Lahore.
B.A., 1930	..	..	1. Indar Nath Madan, Government College, Lahore.
		2.	Mohammad Tofail Khan, Forman Christian College, Lahore.
Matriculation, 1931	..	1.	Pran Nath, D. A.-V. College, Lahore.
		2.	Bas Dev, Government Intermediate College, Ludhiana.
Intermediate, 1931	..	1.	Bhagwan Das Khurana, S. D. College, Lahore.
		2.	Sohan Lal Kapur, D. A.-V. College, Jullundur.
B.A., 1931	..	..	1. Diwan Tulsi Das Katyal, Forman Christian College, Lahore.
		2.	Jagdish Chand Jhanji, Forman Christian College, Lahore.
Matriculation, 1932	..	1.	Jethaa Nand Agnihotri, Bharatri High School, Leiah.
		2.	Vidya Sagar Andu, S. D. Anglo-Sanskrit High School, Jullundur City.
Intermediate, 1932	..	1.	Dharam Sarup, Government College, Lahore.
		2.	G. B. Kumar, D. A.-V. College, Lahore.
B.A., 1932	..	..	1. Diwan Chand Bhandari, Government College, Lahore.
		2.	Narayan Das Varma, Forman Christian College, Lahore.

MUSLIMS WITH FOREIGN QUALIFICATIONS IN SUBORDINATE EDUCATION SERVICE.

***2222. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Education please state—

(a) the number of Muslim employees in the Subordinate Education Service having foreign qualifications ;

(b) the posts and grades in which they are placed ;

(c) how many promotions has each one of them obtained after getting the foreign degrees ?

The Honourable Malik Sir Firoz Khan Noon : (a) Six including one who resigned in 1931 and has now been re-appointed in an officiating capacity in the same grade in which he was before he resigned.

(b) and (c) A statement giving the requisite information is laid on the table.

Post held.	Present grade.	Permanent promotions obtained after getting the foreign degree.
	Rs.	
1. Teacher, Government Intermediate College, Lyallpur.	200/250	One from Rs. 140/190 to Rs. 200/250.
2. Lecturer, Government College, Lahore..	200/250	Ditto.
3. Lecturer, deMontmorency College, Shahpur.	140/190	..
4. Teacher, Government Intermediate College, Campbellpur.	140/190	..
5. Senior English Master, Government High School, Jhelum at present officiating Teacher, Multan College, Multan.	140/190	..
6. Officiating Teacher, Ludhiana Government College, Ludhiana.	140/190	..

MUSLIM REPRESENTATION IN PROVINCIAL EDUCATIONAL SERVICE.

***2223. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Education please state—

(a) whether it is a fact that the number of Muslim representation in the Provincial Educational Service has fallen down ;

(b) what steps he proposes to take to raise the Muslim representation ?

The Honourable Malik Sir Firoz Khan Noon : (a) The statement giving information is laid on the table.

(b) The policy of Government was stated by the Honourable Finance Member in a debate in the Legislative Council on the 19th of July 1927. This is still the policy of Government, and Government continue to carry

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out the requirements of the formula contained in the said statement of policy—

Representation of the Muslim community in the Punjab Educational Service (Class I) and (Class II).

Name of community.	PUNJAB EDUCATIONAL SERVICE (CLASS I).					
	1st January 1931.		1st January 1932.		1st January 1933.	
	Number.	Percent-age.	Number.	Percent-age.	Number.	Percent-age.
Muslims ..	1	25	1	20	*5	38.48

*Including three Muslim officers appointed to officiate in class I from 1st October 1932.

Name of community.	PUNJAB EDUCATIONAL SERVICE (CLASS II).					
	1st January 1931.		1st January 1932.		1st January 1933.	
	Number.	Percent-age.	Number.	Percent-age.	Number.	Percent-age.
Muslims ..	43	35.83	42	36.20	39	36.11

REVENUE AND TAXES PAID BY EACH COMMUNITY.

***2224. Khwaja Muhammad Eusoof :** Will the Honourable Member for Finance please place on the table—

- the revenue and taxes which each community pays to the Government ;
- the amount of salaries which each community receives from the Government ?

The Honourable Sir Henry Craik : The information is not available and the expenditure of time and public money involved in procuring it would be out of proportion to its public interest.

GOVERNMENT GIRLS' SCHOOL, AMBALA.

***2225. Kanwar Mamraj Singh, Chohan :** Will the Honourable Minister for Education be pleased to state—

- how many students appeared in the last two years in the matriculation examination from Government Girls' High School, Ambala city, and how many of them were successful in each year ;

(b) reasons for such poor results ;

(c) what action the Government has been pleased to take in the matter ?

The Honourable Malik Sir Firoz Khan Noon : (a) The requisite statement is laid on the table.

(b) Several factors such as defective teaching, injudicious classification, irregularity of attendance and indifference to studies on the part of students may be responsible for poor results and therefore it is difficult to specify the cause of bad results in this case. If defective teaching is to blame, it is due to the difficulty in obtaining sufficient trained ladies to meet the expansion in the education of girls.

(c) The Circle Inspectress has been directed to keep a closer watch on this school.

Statement showing the Matriculation results of the Government Girls' High School, Ambala city, for the last two years.

Year.	Number of students appeared.	Number of students passed.
1931	7	3
1932 *	9	1

GOVERNMENT GIRLS' HIGH SCHOOL, AMBALA.

***2226. Kanwar Mamraj Singh Chohan :** Will the Honourable Minister for Education be pleased to state—

(a) what arrangements have been made for the conveyance of girls for coming to and going from the Government Girls' High School, Ambala city ;

(b) whether it is a fact that some girls are conveyed to the school about two hours before the school starts and some have to wait for about two hours after the school is closed ;

(c) if the answer to (b) be in the affirmative, what arrangements have been made to look after the girls during these periods ;

(d) what interest the Inspectress of schools has taken in the matter ?

The Honourable Malik Sir Firoz Khan Noon : (a) Hired tongas.

(b) It takes about an hour to bring girls to the school, and about the same time to take them back to their homes, provided there is no unavoidable delay on the way and it is not raining.

(c) A mistress remains on duty to look after the girls.

(d) The Inspectress has proposed a lorry for the school, but in view of the present financial stringency it has been considered advisable to carry on with the existing arrangements. The question of hiring a motor bus will also be considered.

Kanwar Mamraj Singh Chohan : It has been said that the mistress looks after the girls. Does she remain there before and after the school hours? The girls come to the school two hours before the school starts work and stay till two hours after the school closes. Does the mistress remain there on both these occasions or only on one occasion?

The Honourable Malik Sir Firoz Khan Noon : I am informed that there are resident members of the staff on the establishment who can look after the girls if they come to school before time or go after time. But if the honourable member has any definite information to the contrary he might let me know.

PERMANENT SUB-JUDGE AT AMBALA CANTONMENT.

***2227. Kanwar Mamraj Singh Chohan :** Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that some scheme for appointment of a permanent sub-judge at Ambala Cantonment, in addition to an extra assistant commissioner who also does civil cases is under contemplation ;
- (b) whether it is not a fact that there is a permanent sub-judge sitting at Ambala city for doing civil cases for the whole of Ambala tahsil including Ambala Cantonment, and also that the work from Ambala tahsil including Ambala Cantonment is not quite enough for one sub-judge ;
- (c) if the answer to (a) be in the affirmative, what the reasons are for incurring this additional expenditure, specially when the inhabitants of Ambala Cantonment prefer to have their cases decided by courts at Ambala city ?

The Hon'ble Sir Henry Craik : (a) No.

(b) First part—Yes.

Second part—No.

(c) Does not arise.

GOVERNMENT GIRLS' HIGH SCHOOL, AMBALA.

***2228. Kanwar Mamraj Singh Chohan :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that Sh. Shubhvati, a teacher in Government Girls' School, Ambala city, was served with a notice in October 1932 to the effect that her services were not required ;
- (b) when she was engaged in Government service and when her period of probation expired ;
- (c) whether it is a fact that she was given the higher grade during her probation period for her good work ;
- (d) whether it is a fact that there are several S. V. teachers still serving in the said school who are senior in service to Sh. Shubhvati and have not been given the higher grade up to 1st February 1933 ;

- (e) how long she had served when she was given the notice ;
- (f) what reasons led the authorities to give her notice after such a long service, when she had put in good work for four years ;
- (g) what enquiry was made before she was given notice ; and whether she was ever given any warning or ever asked to submit any explanation ;
- (h) whether it is a fact that the headmistress had recommended her for increment in the month of March 1931 ;
- (i) whether it is a fact that she had obtained the 2nd position in the Senior Vernacular Final Examination in 1926 ;
- (j) whether it is a fact that no teacher has been given to this school in her place up to 3rd February 1933 ;
- (k) what Government intends to do in the matter ?

The Honourable Malik Sir Firoz Khan Noon : (a) She was served with a notice in August 1932 and not in October 1932.

(b) She entered Government service on 17th December 1927 and was on probation until the date her services were terminated.

(c) Yes, but the higher grade was given her not for her good work, but because she had been promised it on her first appointment.

(d) There is only one such teacher.

(e) Four years, seven months and twenty-eight days.

(f) Her unsatisfactory work throughout.

(g) No enquiry was held, because an enquiry is not necessary in the case of probationers. She was, however, warned.

(h) No.

(i) Yes.

(j) Yes.

(k) A substitute has already joined and no further action is necessary.

AVERAGE HOLDING OF AGRICULTURAL LAND WASHED AWAY BY RIVERS
AND STREAMS IN AMBALA DISTRICT.

***2229. Chaudhri Allah Dad Khan :** Will the Honourable Member for Revenue please state—

- (a) how much land of the villages of Ambala district given below has been washed away by the rivers and streams flowing past them :—

Kot, Jaswantgarh, Billah, Khangesrah (in the Naraingarh tahsil),
and

Bhankarpur, Mubarakpur, Naggal and Alipur (in the Kharar tahsil) ;

- (b) the average holding of agricultural land per zamindar in the villages mentioned in (a) ;

- (c) if the average in (b) is too small, what action the Government intends to take in the matter ?

The Honourable Captain Sardar Sir Sikander Hyat Khan :

(a)	Name of village.	Land washed away by the rivers and streams.	
		Acres.	
	Kot	11	
	Jaswantgarh	18	
	Billah	10	
	Khangesrah	4	
	Bhankarpur	140	
	Mubarakpur	71	
	Naggal	16	
	Alipur .. .. .	..
(b)		Average holding of agri- cultural land per zamin- dar.	
	Kot	4.287	
	Jaswantgarh	3.616	
	Billah	4.206	
	Khangesrah	5.857	
	Bhankarpur	2.59	
	Mubarakpur	6.38	
	Naggal	6.98	
	Alipur	7.08	

(c) The question of possible measures to prevent further erosion is under consideration.

RULES REGARDING ACCEPTANCE OF PATWARIS AS FIELD KANUNGO
CANDIDATES.

***2230. Chaudhri Allah Dad Khan :** Will the Honourable Member for Revenue please state—

(a) changes made in the rules governing the acceptance of patwaris as field kanungo candidates after 1925 ;

(b) if these changes referred to in (a) embody concessions to the candidates accepted after 1925, what are the reasons therefor ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The only change made in the rules governing the acceptance of patwaris as kanungo candidates after 1925 is the raising of the age limit from 36 to 38 years up to which they can be retained on the register of kanungo candidates.

(b) On account of the contraction of settlement operations, certain kanungo candidates, who were working as field kanungos for considerable periods had to revert. The experience gained by them increased their efficiency and made them better fitted for the post of field kanungo. In order to retain their names on the register of kanungo candidates for a longer period it was considered necessary to relax the rule of age limit to a certain extent. It was consequently raised from 36 to 38 years.

Chaudhri Allah Dad Khan : As regards (a) I am afraid there is no concession. I might perhaps bring to the notice of the Honourable Member

this fact. After 1925 patwaris of every grade have been accepted as kanungo candidates whereas before 1925 only patwaris of 1st and 2nd grade were accepted. This produces a great hardship on the candidates accepted before 1925. Is the Honourable Member prepared to do anything in this matter because their previous service is not counted at the time of pension ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I must confess that in spite of the honourable member's explanation, I have not been able to understand him.

Chaudhri Allah Dad Khan : Now every patwari is accepted as a kanungo candidate. What concession have you made in counting their service towards pension ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : If you put down in writing, I may be able to understand you.

Chaudhri Allah Dad Khan : I will do so afterwards.

REPORT OF THE EROSION COMMITTEE.

***2231. Thakur Pancham Chand :** Will the Honourable Member for Revenue please state whether it is proposed to lay upon the table of the House the report and recommendations made by the Erosion Committee ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Yes.

ROAD TO RAILWAY BOOKING OFFICE AT JARANWALA.

***2232. Maulvi Imam-ud-Din :** Will the Honourable Minister for Local Self-Government kindly state—

(a) whether it is a fact that the Jaranwala Town Committee of the Lyallpur district has imposed a tax upon all zamindars of the Jaranwala tahsil who pass the pukka road of the small town that leads to the Railway booking office at Jaranwala ;

(b) if so, reasons for it ?

The Honourable Dr. Gokul Chand Narang : (a) No. Perhaps however the honourable member is referring to the fact that the Jaranwala Town Committee has recently extended the terminal tax, which since 1925 has been in force on certain goods exported by goods train, to the same goods when exported by road also.

(b) Does not arise.

CONVICTION OF LAWYERS FOR POLITICAL ACTIVITIES.

***2233. Maulvi Imam-ud-Din :** Will the Honourable Member for Finance kindly state—

(a) the names of the members of the legal profession who have been convicted for one offence or the other in connection with political activities since 1920 from the following places :—

Gurdaspur proper, Batala proper, Ludhiana proper, Jullundur proper, Amritsar, Lahore proper, Gujranwala proper and Ferozepore proper ;

[Maulvi Imam-ud-Din.]

(b) what action the High Court took in the case of such convicted persons ;

(c) if no action has been taken so far, why not ?

The Honourable Sir Henry Craik : (a) The information is not available.

(b) One legal practitioner from Lahore was convicted in 1921 and proceedings were taken against him under the Letters Patent of the Lahore High Court.

(c) Does not arise.

OUTLET OF CHAK No. 120 R. D. 700.

***2234. Maulvi Imam-ud-Din :** Will the Honourable Member for Revenue kindly state—

(a) whether it is a fact that about a year ago the Sub-Divisional Officer and the Executive Engineer of the Lower Gogera division reported to the Superintending Engineer, that the second outlet of chak no. 120 R. D. 700 was not getting its permissible discharge and that on the report of these two officers the Superintending Engineer gave sanction to remodel the outlet, but when all these previous officers (the Sub-Divisional Officer, Executive Engineer and the Superintending Engineer) were transferred the new staff refused to remodel the outlet ;

(b) if so, the reasons for not carrying out the work in question ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Yes, such a report was submitted.

(b) The Superintending Engineer and the Executive Engineer subsequently inspected the outlet and found that it was drawing its authorized discharge, hence no alteration was necessary.

DOUBLE WATER RATE IN LOWER GUGERA DIVISION.

***2235. Maulvi Imam-ud-Din :** Will the Honourable Member for Revenue kindly state—

(a) whether it is a fact that the Executive Engineer of the Lower Gogera division has levied a double water rate on the lands in which cotton was sown first but when the cotton seeds did not germinate the zamindars destroyed the cotton and sowed *toria* instead ;

(b) if so, reasons for it ?

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

(b) Does not arise.

WATER LET IN AT BALLOKI HEAD FOR SIDHNAI CANAL.

***2236. Sardar Jawahar Singh Dhillon :** Will the Honourable Member for Revenue be pleased to state—

(a) how many cusecs of water are let in at Balloki head for Sidhnai canal ;

- (b) how many cusecs of water reach the head of Sidhnai canal ;
- (c) the distance between the two heads, i.e., Balloki head and Sidhnai canal head ;
- (d) whether it is a fact that owing to the shortage of water in Sidhnai canal, zamindars are suffering a great loss ;
- (e) if answer to (d) above be in the affirmative, what steps, if any, the Government will take to compensate the zamindars for the losses already suffered by them, and to save them from undergoing losses in future?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) No definite number of cusecs is fixed. It depends on the varying discharge of the Ravi river.

(b) This depends on the amount of water passed below Balloki and to the time of year owing to the variable amount of absorption losses.

(c) About 240 miles.

(d) The Ravi river supplies were below average in *kharif* 1932 causing short *kharif* and *rabi* sowings below the authorised permissible.

(e) Very liberal remissions under the rules have been given on the crops sown.

UNSTARRED QUESTIONS AND ANSWERS.

PUNITIVE POSTS IN LAHORE AND SHEIKHUPURA DISTRICTS.

585. Chaudhri Shah Muhammad : Will the Honourable Member for Finance kindly state—

- (a) the number of punitive posts in the districts of Lahore and Sheikhupura ;
- (b) how many of them are located for thieving, house-breaking and such like misdeeds ;
- (c) the yearly expense to maintain such posts ;
- (d) the total force which is required to maintain such posts ;
- (e) the place from which these punitive posts have been removed for the past year and the causes which led to these removals ?

The Honourable Sir Henry Craik : (a) None.

(b), (c) and (d) Do not arise.

(e) No punitive post existed and hence none was removed in 1932.

AREA UNDER CULTIVATION IN SANGLA COLONY IN SHEIKHUPURA DISTRICT.

586. Chaudhri Shah Muhammad : Will the Honourable Member for Revenue kindly state—

- (a) the total area which remains uncultivated on account of scarcity of canal water in the colony of Sangla in the Sheikhupura district ;

[Ch. Shah Muhammad.]

- (b) how many acres out of one square in the whole colony are under cultivation for *rabi* crop in the current year ;
- (c) whether it is a fact that owing to the non-supply of water there are five acres out of one square sown and the remaining area is lying vacant ;
- (d) the net yield of *toria* crop per acre in the district of Sheikhpura ;
- (e) the net yield or produce per acre of *toria* in the year 1927 ;
- (f) the obvious causes of the marked decrease ;
- (g) whether it is true that the decrease of produce is due to the scarcity of water-supply ?

The Honourable Captain Sardar Sir Sikander Hyat Khan: (a), (b) and (c) Government has no information. It is not clear from the question what area the honourable member is referring to.

(d) I regret I have no exact information ; the yield of *toria* is expected to be about 6½ maunds per acre in Sheikhpura district.

- (e) 6½ maunds.
- (f) Seasonal vicissitudes ;
- (g) Government has no exact information.

CONFISCATION OF ARMS LICENCES OF SARDAR NARAIN SINGH
AND SARDAR GAJJINDAR SINGH.

587. Guru Jaswant Singh : Will the Honourable Member for Finance kindly state—

- (a) whether it is a fact that on 7th September 1932 Sardar Harnam Singh, zaildar, Abu Lakhiana, police station Lumbi, district Ferozepore, was murdered as the result of enmity between two parties ;
- (b) whether it is a fact that in accordance with Deputy Commissioner's letter no. 12202, dated 17th December 1932, the arms licences of both the parties have been temporarily confiscated ;
- (c) whether Sardar Narain Singh and Sardar Gajjindar Singh, sons of Sardar Bhao Singh of Kalianwali, district Ferozepore, belonged to either of the offending parties ;
- (d) whether the two brothers mentioned in (c) above have also been deprived of their licences ;
- (e) whether any member or members of either party complained against these two brothers ; if so, who and what was the complaint ;
- (f) if no complaint was preferred against the two brothers, what are the reasons for the confiscation of their licences ?

The Honourable Sir Henry Craik : (a) As all the accused who were prosecuted for the murder have been acquitted by the Sessions Judge, I am not able to say what were the causes which led up to the crime. I have not yet seen the judgment of the Sessions Court.

(b) to (d) It is a fact that the arms licences of the two persons named in the question have been cancelled.

(e) No member of either party lodged a complaint.

(f) The licences were confiscated in the interest of the public peace, a breach of which was feared owing to the strained relations between the two parties.

PROBATION OFFICER AT JHANG TO RECOMMEND RELEASE
OF PRISONERS.

588. Sayad Mubarak Ali Shah : Will the Honourable Finance Member please state—

(a) whether it is a fact that there is no probation officer posted at Jhang to recommend the release of prisoners and to look after them ;

(b) whether the Jhang people have to go to Lyallpur or Montgomery to apply for the release of convicts from Jhang district ;

(c) if the answer to the above be in the affirmative whether the Government proposes to station a probation officer at Jhang ; if not, why not ?

The Honourable Sir Henry Craik : (a) Jhang district is in the circle of the probation officer, Montgomery.

(b) For any such releases the residents of Jhang district can apply by post to the Reclamation Officer, Punjab, whose headquarters are at Lahore.

(c) There seems to be no necessity for posting a separate probation officer at Jhang for the present.

RECRUITMENT OF FOOT CONSTABLES IN JHANG.

589. Sayad Mubarak Ali Shah : (i) Will the Honourable Finance Member please state—

(a) whether it is a fact that there were certain vacancies in the foot constable rank in the Jhang district which were recently filled ;

(b) whether several youths of Jhang district presented themselves on the date and place fixed for the recruitment but nine out of twelve vacancies were filled by importing recruits from the additional police force (recently disbanded at Lahore) under the orders of the central police office, Lahore ;

(c) whether it is a fact that these imported recruits are not residents of Jhang district ?

(ii) If the answer to the above be in the affirmative, does the Government intend to stop this practice and to give chance to the locals of the Jhang district to enter into this department ?

The Honourable Sir Henry Craik : (i) (a), (b) and (c) Yes.

[Hon. Sir Henry Craik.]

(ii) It is clearly equitable that places should be found for staff, which has rendered good service and has come under reduction elsewhere. When their claims have been met, those of local applicants will certainly have full consideration.

CRIMINAL TRIBES ACT AND THE REMOVAL OF RESTRICTIONS
ON BALUCHES IN JHANG DISTRICT.

590. Sayad Mubarak Ali Shah : Will the Honourable Revenue Member please state—

- (a) whether it is a fact that some time ago the local police recommended the removal of restrictions on the Baluch inhabitants of chak no. 183 in Jhang district, so far as the Criminal Tribes Act is concerned, because they have reformed their conduct in recent years;
- (b) whether the Local Government has passed any orders up till now;
- (c) if the answer to the above be in the negative what justification the Government has for this delay?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) It is understood that a proposal to relax restrictions on some Baluches has been received by the Deputy Commissioner for Criminal Tribes, Punjab, who is making the necessary enquiries.

- (b) The proposal has not yet reached Government.
- (c) Does not arise.

SAGGALS, GHARARS AND GADHIS AND THE CRIMINAL
TRIBES ACT.

591. Sayad Mubarak Ali Shah : Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the conduct of the Saggals, Gharars, and Gadhis of chak no. 245 and the adjoining chaks in Jhang district has been greatly reformed as reported in one of the annual reports of the Criminal Tribes Department in the recent years and that there was a proposal to relax the restrictions imposed upon them under the Criminal Tribes Act;
- (b) whether that proposal has been carried out up to this time; if not, what are the reasons for this delay, and whether the Government is prepared to withdraw these restrictions from them; if not, why not?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The conduct of Saggals, Gharars and Gadhis is reported to have improved but no proposal recommending relaxation of restrictions imposed on them under the Criminal Tribes Act, 1924, has yet been received.

- (b) Enquiries are being made and such action as may be deemed necessary will be taken in due course.

GENERAL REMISSION ON COTTON CROP IN JHANG DISTRICT.

592. Sayad Mubarak Ali Shah : Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the cotton crop this year was much damaged in the Jhang district ;
- (b) whether the zamindars concerned made several representations to the Government and waited on the Commissioner, Multan division, in a deputation when he visited Jhang in this connection ;
- (c) whether it is a fact that no relief was afforded to them in the shape of a general remission ;
- (d) the causes that prevented the Government from granting them a general remission ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The cotton crop was considerably damaged in the Jhang district this year.

(b) and (c) Yes.

(d) The ordinary rules regarding suspension and remission of land revenue were adequate to the situation.

SHORTAGE OF WATER IN THE LOWER JHELMUM AND LOWER CHENAB CANALS.

593. Sayad Mubarak Ali Shah : Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that there has been a shortage of water in the Lower Jhelum and Lower Chenab Canals during and after the sowing season of the wheat crop this year and that this has caused much decrease in the cultivated area of wheat this year ;
- (b) whether the young crop of wheat has suffered much, partly on account of frequent closures in the said canal and partly owing to the severity and dryness of the cold weather ;
- (c) whether the facts in (a) and (b) have been brought to the notice of the Government by the local officials of the districts concerned ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Yes—but the extent of the decrease is not yet known.

(b) and (c) Reports are to the effect that the wheat crop is satisfactory.

REMISSION ON KHARIF CROP.

594. Sayad Mubarak Ali Shah : Will the Honourable Revenue Member please state—

- (a) the total amount of remission given this year on the *kharij* crop ;

[S. Mubarak Ali Shah.]

- (b) the total amount of remission given on the cotton crop this year ;
- (c) the share of each district in the amount remitted on the *kharif* crop generally and the cotton crop particularly, stating the amount remitted in the shape of *kharaba* and general remission (if any granted) on cotton and rest of the *kharif* crop in each district of the province ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Necessary information is being collected and will be supplied to the honourable member when ready.

COMPENSATION TO MALLAHS ON THE CHENAB.

595. Sayad Mubarak Ali Shah : Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that some land was granted to the *malla*hs who had their ferry near the spot where the Rivaz bridge on the Chenab was constructed in the district of Jhang, as compensation for the loss they had suffered in their profession owing to the construction of that bridge ;
- (b) whether the *malla*hs at the Chiniot ferry on the same river in the same district have been very hard hit owing to the construction of a railway bridge which is open to public traffic as well ;
- (c) whether the *malla*hs concerned represented their case to the Government by means of applications to the local as well as to the higher authorities, but no step as yet has been taken to compensate them for their loss ;
- (d) if the answer to the above be in the affirmative whether the Government is prepared to make any adequate compensation to the poor *malla*hs who have been put out of their work owing to the construction of the said bridge at Chiniot, if not what are the reasons for this ?

The Honourable Sardar Sir Jogendra Singh : The honourable member is referred to the reply given to his starred question No. 674¹ in May 1931.

DEFECT IN THE HEADWORK OF BHOWANA RAJBAB.

596. Sayad Mubarak Ali Shah : Will the Honourable Revenue Member please state—

- (a) whether it is a fact that there is some defect in the headwork of the Bhowana *raj*bab of the Jhang branch of the Lower Chenab Canal and it does not discharge the scheduled amount of water and has to be cleared up at short intervals ;

- (b) if the answer to the above be in the affirmative, whether the Government is prepared to remove this defect in the headwork of the said minor and remove the general grievance of the irrigators on this *rājāh* ; if not, why not ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (1) No.

- (b) Does not arise.

LEASE OF LAND OF STATUTORY AGRICULTURISTS.

597. Sayad Mubarak Ali Shah : Will the Honourable Revenue Member please lay a statement on the table showing therein—

- (a) the number of cases in which the lands of the statutory agriculturists have been leased out for a period of 20 years or less either (i) by the order of the civil courts or (ii) on the application of the creditor for carrying out insolvency proceedings against his debtor belonging to the above-mentioned class in the Jhang district, during the last three years up to 31st December 1932 ;
- (b) (i) in how many such cases maintenance was allowed to the owners of the land and their family and what amount, and (ii) in how many cases maintenance was disallowed to the owners and their families and the reasons for that ;
- (c) the number of such cases in which the creditors were allowed to bid in the lease proceedings along with the number of such cases in which these creditors did bid and took the lands for themselves ;
- (d) the original amount of money for which the court allowed the lands to be leased out and the actual amount for which these lands were leased out along with the balance still to be realised by the creditors and the area of land which was leased out in this proceedings in each case ;
- (e) the amount of money which was reported by the Collector of Jhang district according to *Nakhsha Dal* and the number of cases in which the Collector was consulted by the civil courts in these matters ;
- (f) the name and the community of the official who passed orders on each such case, along with the community of the creditor and the debtor ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : It is regretted that the information asked for cannot be given as its collection would entail an amount of labour out of proportion to the value of the information. I would however endeavour to obtain information if the honourable member would cite any specific case which he may have in mind.

AUCTION OF DATE TREES BY CIVIL COURTS.

598. Sayad Mubarak Ali Shah : Will the Honourable Member for Finance please lay a statement on the table showing therein—

- (a) the number of cases in which date trees were auctioned by the order of the civil courts in the Jhang district within the last three years ;

[S. Mubarak Ali Shah.]

- (b) the number of such cases in which the creditors were allowed to bid for the date trees and they themselves took them; along with the community—whether Muslims or non-Muslims—of the creditor and debtor in each case;
- (c) the amount of money suggested by the collector (if ever consulted) according to the revenue department's estimates of the income from those trees;
- (d) the amount of money actually realised by auctioning the date trees concerned in each case and the balance still to be realised from the debtor;
- (e) the name and community—whether Muslim or non-Muslim—of the official who passed such orders in each case?

The Honourable Sir Henry Craik : (a) to (e). The information is being collected and will be supplied to the honourable member when ready.

STATUTORY AGRICULTURISTS AND CIVIL CASES IN JHANG DISTRICT.

599. Sayad Mubarak Ali Shah : (i) Will the Honourable Finance Member please lay on the table a statement showing therein—

- (a) the number of civil cases instituted in the civil courts of the Jhang district during the last three years up to 31st December 1932;
- (b) the number of cases in which *ex parte* orders were passed during the said period;
- (c) in how many such cases the respondent got those orders set aside and in how many cases the *ex parte* orders remained uncanceled;
- (d) the number of cases in which such orders were passed against a member of the statutory agricultural tribe;
- (e) whether the officer who passed orders in each such case was himself a member of a statutory agricultural tribe or otherwise;
- (f) the respective communities of the plaintiff and the respondents in each case?

(ii) If the number of the uncanceled orders is rather large, will the Honourable Finance Member please state reasons for this?

(iii) What steps does the Government intend to take to protect the rights of the ignorant and poor debtors?

The Honourable Sir Henry Craik : (a) to (f) The information is being collected and will be supplied to the honourable member when ready.

BUDGET—GENERAL DISCUSSION.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, Non-Muhammadan, Rural) : Sir, after 4 years of successive deficits it is some consolation to find that the Honourable the Finance Member has been able to present a budget in which he expects a surplus of about 43 lakhs. It is a matter for additional gratification that the current year is anticipated to give a surplus of 24 lakhs. Such results are specially cheering in times of anxious finance and I think the whole staff employed in the Finance Department deserves credit for it. Particularly our thanks are due to Mr. Puckle who has worked in double harness and has made a success of his difficult task. So far as the current year's expected surplus is concerned, we need have no misgivings on the point. After all nearly the whole year is over and the few weeks that still remain of the current financial year are not likely to result in anything which will upset the calculations of the Honourable Finance Member. But with regard to the coming year I have definite misgivings as to whether or not a surplus will result. What the Honourable the Finance Member has not realised with sufficient clearness is the fact that the paying capacity of the zamindar is getting diminished day by day. The Punjab is not a land of very big landholders. Essentially and pre-eminently the Punjab is a province of peasant proprietors with small holdings. A very large proportion of these holdings have ceased to be economic. In fact if I remember aright, either 58 per cent. or 48 per cent. of the holdings have already become uneconomic. Under these circumstances it is very difficult to believe that the small landholder will be able to meet his obligations on account of land revenue and water rates. The economic depression which set in three years ago still persists and is bound to be felt in an increasing degree. If a large body of small holders have been able to meet their obligations in the past it does not show that they will be able to do so indefinitely. Personally I feel that the Punjab peasant proprietor is deserving of very high praise (*hear, hear*). He has been bearing his misfortunes with great fortitude and great patience (*hear, hear*). He has shown a great deal of strength in battling with the difficulties which surround him. But are you really sure that his patience will not be exhausted? Is there any guarantee that his fortitude will not forsake him in the end? I fear that his strength will give way and his patience will get exhausted. The Finance Department does not seem to have taken sufficient note of the increasing effect of economic depression on the capacity of the zamindar to pay. Then there are certain other factors which make me believe that the anticipations which are being entertained with regard to the next year's receipts or expenditure are not likely to be fulfilled. At least in one part of the province, namely, the South Eastern districts, prospects are very gloomy indeed. In the Hissar district there are already test famine works started and the members of this House will be surprised to hear that men, women and children have flocked to these works in their thousands. And what are the wages paid to them? I understand that the daily wage for a man is 5 pice, the daily wage for a woman is 4 pice and for a child it is 3 pice. If people can come by the thousand on a wage like that you can well imagine the extent of the distress that prevails in that part of the country. So much with regard to Hissar. Gurgaon and Rohtak, though not quite so bad, are not much better. With the exception of the Kaithal tahsil, the Karnal district constitutes the only oasis in this vast

[R. B. Ch. Chhotu Ram.]

desert. With the economic conditions that prevail in the South-Eastern districts of the Punjab it is difficult to see how the surplus can result in the next financial year.

Now I will just give a few figures which will go to show that the estimates that have been formed of the receipts and expenditure by the Finance Department during the last two or three years have been very wide of the mark. In 1931-32 budgeted receipts amounted to 11.18 lakhs and expenditure was estimated at 10.88 lakhs. The expectation was that we shall be left with a balance to the good of 35 lakhs, but what has happened. Actual receipts were only 9.61 lakhs which means a decrease in the receipts of as much as 1.57 lakhs. It is true that expenditure also fell by 54 lakhs. Still the deficit was 68 lakhs, that is, in the working of a financial year where we expected a surplus balance of 35 lakhs we had actually a minus balance of 68 lakhs. Now take the year 1932-33. Here receipts were expected to amount to 10.38 lakhs and expenditure was estimated at 9.82 lakhs and we were given to understand that at the end of the year we should have a surplus of 56 lakhs. What is the result? The revised figures for receipts are 10.09 lakhs which means a deficit of 29 lakhs, that is, our receipts are now expected to fall by 29 lakhs. The revised estimates for expenditure are 9.84½ lakhs, that is, 2½ lakhs more than was expected. It is expected that at the end there will still be a balance of 24 lakhs. I believe that even if any portion of this balance fails to materialize a good portion of it will remain with us. However, the same cannot be said about the next year. Moreover we should not forget one thing. After all what is the character and what is the true significance of the balance that we have had? Does it indicate any prosperity in the province? I definitely say no. It is only budgetary equilibrium that has been restored. But mere restoration of budgetary equilibrium means no prosperity.

In this connection let us see how we stand. All further recruitment in many departments has been stopped. A salary cut of ten per cent. had to be imposed. The pinch of stringency was felt to such an extent that even fully qualified youngmen were allowed to work on an honorary basis. That is an unmistakable indication of the grave financial stringency under which the Government was labouring. Then take another point. Very drastic retrenchment was made. That was all to the good and we may congratulate the Government on the determination with which they set about placing their House in order. A very large saving was effected in consequence of this campaign of retrenchment. But after all we cannot forget that rigid economy or ruthless retrenchment does not indicate a normal course of things. It cannot be continued very long (*hear, hear*). As a result of a policy of rigid economy and ruthless retrenchment grants to local bodies have been very seriously curtailed with the consequence that roads have fallen into a disgraceful state of disrepair, hospitals are being closed down, and schools are being shut down. May I remind the House of the words of Lord Irwin, which he used at one time with regard to the boasted restoration of peace and quiet by means of unprecedented repression, "create a desert and call it peace". In a similar strain I may say, shut down all your services and you will have a much larger saving. Close down all the colleges and the schools, allow your roads to go to bits, let there not be any hospitals and

you will have a surplus probably of 6 crores. If only essential services, such as, the Indian Civil Service, the police and the courts are maintained, and all other services are disbanded you will have a still larger surplus. So I beg to submit very respectfully but emphatically that the surplus that we have been promised is not an indication of any prosperity. I would call only that surplus a true surplus which is left with the province after all the normal activities and a normal pace of expansion have been restored. Until normal activities have been resumed by the departments and until the normal pace of expansion and development has been regained any surplus that comes to us is no surplus at all. It is therefore plain that the surplus that we have been promised means no restoration of prosperity and is not a factor on which we should congratulate ourselves. The only good that I can see about the surplus of the present character is that it stabilizes our financial position a bit and gives an enhanced credit in the view of outsiders. But that is not a sufficient consolation for the steps which Government had had to adopt in order to secure this balance.

So much for the balance which we have been promised. I may also address a few words to the House with regard to the partial restoration of the cut in salaries. I am definitely of the opinion that economic and agricultural conditions have not improved sufficiently, either in the country as a whole or in our own province, to justify even the partial restoration of the cut. The ten per cent. cut ought to have been allowed to remain until normal economic conditions had returned. Normal economic conditions have not returned and therefore there is no justification whatsoever for the partial restoration of salary cuts. Unfortunately although there has been a partial restoration of the cut, the province does not gain anything by it. As was explained by the Honourable Finance Member in his statement it is true that in the case of some officers the restoration of this cut does not mean any benefit at all. On the contrary some officers have actually lost by the restoration of the cut. Then again in the case of a large number of highly paid officers there has been either very little good or none at all. The only good that has accrued goes not to the province, not to the officers who are serving in the province, but to the Government of India. It is counter-balanced, in some cases more than counter-balanced, by the surcharge which the officers will have to pay by way of ordinary income-tax and super-tax. Therefore, it was in the interest of the province as well as in the interest of officers themselves that they should have insisted that the partial restoration of the cut should not be resorted to. If there is time even now, the Punjab Government will be well advised in pressing this fact on the attention of the Government of India and the Secretary of State. Let the Secretary of State please drop his proposed Bill, and if the officers must suffer, let the benefit of that suffering go not to the Government of India but to the Punjab province. It stands very greatly in need of any help that may come from this reduction in pay of these officers. (*Hear, hear*).

The Honourable the Finance Member invited suggestions on the point of the repayment of the loan of 28½ lakhs of rupees which was contracted some time ago, and which the Punjab Government is at liberty to pay either during the current year or during the course of the next year. He has put forward a plan by which the extra income from our extraordinary receipts

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which were originally expected to yield 27 lakhs and have actually yielded 40 lakhs, is to be used for the partial payment of the loan which was contracted at a considerably higher rate of interest than prevails now. The loan was taken when the rate of interest was 6½ per cent. Now the rate of interest has fallen very considerably. I think the device which the Honourable Member for Finance has put forward, that is, the use of this extra 13 lakhs in the present year and the use of savings that will still result as a consequence of the 5 per cent. cut in the course of the next year for the repayment of the remaining portion of this debt of 28½ lakhs is a good one. Personally I fully approve of the device that has been suggested by the Honourable the Finance Member and I do not think that there is a single member in this House, who will not lend his support to this proposal. It is a very sound financial proposition, and I think the Government ought to go ahead with it. (*Hear hear*).

After these remarks I may be allowed to come to a subject which has always occupied an abiding place in my heart, namely, the Bhakra Dam Project. I have just now spoken of the distressing economic conditions prevailing in the district of Hissar. I also stated that Gurgaon and Rohtak districts were not much better. As a matter of fact, these three districts in the Ambala division have always been the prey of repeated famines and droughts. These districts are really speaking economic plague spots in our province and if the Government is earnest about affording permanent relief to the inhabitants of this part of the province, the only thing to be done is early steps in the construction of the Bhakra Dam Project. Four years ago this House passed a resolution unanimously in favour of the project and the Government accepted that resolution. The Honourable the Revenue Member stated at that time that the Government was definitely committed to the scheme and that he would do his level best to make a beginning with the scheme though he did not expect to complete the construction of this project during his tenure of office.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Which year is this ?

Rao Bahadur Chaudhri Chhotu Ram : 28th February 1929. This resolution was accepted by the Government quite willingly and with good grace. But after the lapse of four long years, we are still practically where we were in 1929.

The Honourable Sir Henry Craik : No, no, we have already spent over 10 lakhs of rupees.

Rao Bahadur Chaudhri Chhotu Ram : Yes, the Government spent over 10 lakhs on surveys but that does not carry us very far. If my information is correct then even final estimates have not yet been completed. Whether the preparation of these estimates has been undertaken in earnest or not, I do not know. All that I remember is that in answer to a question put by me the Honourable the Revenue Member stated that an officer had been placed on special duty to revise the estimates. Whether that revision has now been finished or has not been finished I am not in a position to say. But beyond the surveys that have been carried out by the Government of India Survey Party, nothing else has been done. Of course these surveys

have cost the Government a good large sum. Ten or twelve lakhs of rupees is not a small amount. But beyond that nothing has been done. After all the first thing about the project that is essential is the preparation of detailed estimates. These detailed estimates have not so far been completed. Whether work on them has actually been started, I do not know. Mere revision may not mean much. Original estimates were framed in 1918 or 1919 and they are entirely out of date. Conditions in 1918-19 were entirely different from conditions that prevail now. Therefore, I beg to submit with as much emphasis as I can command that final estimates should be completed at as early a date as possible, and vigorous attempts should be made in order to secure the sanction of the Government of India and the Secretary of State. As soon as the necessary sanction has been received, vigorous efforts should be made to start construction of the project and to complete it within as short a time as is humanly possible. So long as the Bhakra Dam project fails to materialise, the people of the South-Eastern Punjab will continue to be the prey of repeated famines and droughts. After all, the repetition of these droughts and famines in itself cost the Government a good deal. I find, from a *communiqué*, which was issued by the Government or by the Director of Information Bureau on its behalf, that 32 lakhs of rupees were spent during the last 2 years alone and practically in the two districts of Gurgaon and Hissar. All this expenditure will practically disappear if facilities for irrigating lands in that part of the country are provided. I will not press this point any further while I am discussing the budget in general. I hope that a resolution which has been sent in, will succeed in the ballot and if that resolution is reached, we shall have plenty of time to discuss it in detail.

After the Bhakra Dam project, I may pass on to the question of services. That again has always been a very serious grievance with me. As a matter of fact some people think that I have an obsession in that direction. However that may be, it is a fact that so far as employment under Government is concerned, Punjab Hindu zamindars may really be likened to political *pariahs*. Nobody seems to have given thought to this class of the Punjab population. 1927 saw a fresh institution of a consolidated list, which gives in respect of each community and under each community in respect of agriculturists and non-agriculturists the proportion of representation enjoyed in Government departments by various classes and communities, and yet the House will be surprised to hear that there are very few officers in the districts who know the existence of this consolidated statement. I had occasion to speak about it to the Superintendent of Police, I had occasion to speak about it to the Deputy Inspector-General, Eastern Range, and both seemed to be ignorant of the existence of such a list. Either this consolidated list has not been sent to them at all or if sent, it has not received any notice. In any case I am positive that the recommending officers never see this consolidated list. The result is, so far as Hindu zamindars are concerned, they are where they stood in 1927. In some cases there has been an actual set-back.

With your permission, Sir, I should like to draw the attention of Honourable Members and Ministers and heads of departments to a few figures. Hindu zamindars get 20 posts out of the total Hindu share of 73 in the executive branch of the provincial civil service. In the judicial branch

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Hindu zamindars get 5 out of 75. These figures I have taken from the list which was issued only a month ago. Thus the figures may be taken as absolutely correct. Now I come to police. Among deputy superintendents there are 11 Hindus. Out of these 11 Hindus not one is an agriculturist. Among inspectors, there are only 9 Hindu zamindars out of 45. Among sub-inspectors there are only 73 out of a total of 243. Among assistant sub-inspectors there are only 20 out of 67. In the case of deputy superintendents and inspectors of police, it may possibly be suggested that a large number of these posts may have been filled by promotion and only a small proportion by direct nomination. As Hindu zamindars have come to the fore only recently in the way of education probably they could not get their proper share in the appointments which went by promotion. But what about the most recent post that has been created, that of an assistant sub-inspector? Out of 67 posts Hindu zamindars get only 20. How is it?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Out of Hindus or total?

Rao Bahadur Chaudhri Chhotu Ram : I am not speaking of the force as a whole but only of the Hindu portion. Now the minimum educational qualification for an assistant sub-inspector is matriculation examination. It cannot be suggested that there is any lack of matriculates among Hindu zamindars. If for any particular post the Government has been recruiting matriculates, I am prepared to give under-graduates; if the Government has been recruiting under-graduates, I am prepared to give graduates, and in any number. The figures quoted by me tell only one tale and that tale is that the Government is unaware of the existence of Hindu zamindars. When I say Government is unaware it is obvious that I mean its executive agents. We have been treated in this land of five rivers as political *pariahs*. This position is bound to create a good deal of sullen resentment. This resentment is, in fact, already there. Of course, I am painfully aware that Hindu zamindars are not properly organised, they have no press, they have no platform, and they are financially poor. But that does not mean that they have no grievances or that they are not conscious of them or that they do not feel them. Unless the Government takes serious steps to put an end to these grievances there will be a good deal of resentment and that resentment may take a turn which might possibly prove inconvenient to Government.

The Honourable Dr. Gokul Chand Narang : By zamindars does the honourable member mean statutory agriculturists?

Rao Bahadur Chaudhri Chhotu Ram : Of course.

Now, I come to the department of irrigation. Among deputy collectors there are six Hindus, not one of them is an agriculturist. Among zilladars, out of 58 Hindus there are only 13 who are agriculturists. Among candidate zilladars there are 4 agriculturists to 24 non-agriculturists. Here again my complaint is the same. There cannot possibly be any reason why in the new posts which must have been created during the last two years there should be such a meagre representation of Hindu zamindars. Can anybody suggest that it is due to the fact that men of requisite education are not forthcoming? Certainly not.

Then, I come to the department of land revenue. Here among tahsildars there are 9 agriculturists out of 36. Among naib-tahsildars we have 18 out of 57. Among kanungos where very limited education is regarded as sufficient we have 73 out of 260.

The Honourable Captain Sardar Sir Sikander Hyat Khan : What is the proportion of Hindu agriculturists to the total population ?

Rao Bahadur Chaudhri Chhotu Ram : That is a question which has been very frequently raised by my non-agriculturist brethren and also by Government officers when it suits their convenience and I am here to answer them.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I am merely asking for my information.

Rao Bahadur Chaudhri Chhotu Ram : You may take the figures at 80 per cent. Because in the matter of appointments you have to take into consideration only the classes which are in a position to supply educated recruits. Among chamars, for instance, there are very few people who are educated, but you should not allow their share to go to *banias*. Their share ought to go, so long as suitable candidates cannot be found among them, to zamindars in whose midst they live and whose interests, misfortunes, grievances and handicaps they share. Therefore I beg to submit that the proportion of Hindu agriculturists to the total Hindu population is 80 per cent.

The Honourable Dr. Gokul Chand Narang : What is the educational proportion ?

Rao Bahadur Chaudhri Chhotu Ram : You can have that information from the Honourable Minister for Education. I come now to jails. Here there are 12 Hindu deputy superintendents of whom only two are agriculturists. Among the assistant superintendents, again a new post, there are four zamindars and 86 non-zamindars. Here is another grave complaint. The jail department is not a department for which non-agriculturists are better fitted than agriculturists. The jail population consists mainly of agriculturists and the qualities that are essential for controlling and maintaining discipline among the jail population—(Interruption). I am for the present confining myself to Hindus alone. In the jail population the zamindar element constitutes 90 per cent. and a zamindar is, man for man, better fitted so far as the question of maintenance of discipline and control is concerned. A *bania* can hardly be expected to maintain better discipline among prisoners than say a Rajput or a Jat, but in spite of this fact we have in front of us the proportions described by me.

Then, I come to the office of Financial Commissioner. I am speaking with regard only to their office, their clerical establishment. Among senior clerks there are 5 Hindus out of whom only one is an agriculturist. Among junior clerks there are 15 Hindus of whom five are agriculturists. Sometimes people think that such petty things as posts of clerks should not be discussed at all on the floor of the House. It is very petty, it is hardly consistent with the dignity of the Council. At any rate, that is the feeling of those whom the shoe does not pinch. (Hear, hear). But I beg to submit with due deference that it is the clerks who make a good deal of difference. In spite of the protests that may be raised on behalf of official benches I

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claim that so far as recruitment is concerned, it is the clerks who make the real difference. The head of the department does not count for very much. It is the clerks who manipulate things in such a manner that only those candidates are selected whom they favour. I have definite information in my possession to prove this. I will not disclose this information on the floor of the House. But if any official member challenges this view (*An honourable member*: I do). I shall see that honourable member in his office and convince him that it is not he but his superintendents, head clerks and assistants who have a greater hand in the selection of candidates.

Chaudhri Zafrullah Khan : In there no Minister to accept the challenge ? (*Laughter*).

Rao Bahadur Chaudhri Chhotu Ram : I will now come to the office of the Commissioner of Ambala. There are 68 agriculturists as against 171 non-agriculturists. The Commissioner's office has to deal mainly with land revenue which chiefly, if not exclusively, affects agriculturists but even in a division which is full of Hindus and among Hindus full of Jats, Rajputs, Ahirs, etc., the number of agriculturist clerks in the Commissioner's office is only 68 as against 171.

I come next to the department of agriculture where agriculturists may reasonably be expected to be in preponderance. What is the state of things there so far as agriculturists are concerned ? I will not concern myself with the topmost posts. It may be said that Hindu zamindars with sufficient qualifications are not available for such posts in sufficient numbers. I shall therefore take up the posts of agricultural assistants. There are 50 agricultural assistants who are Hindus. Out of these only 15 are agriculturists. Can the Honourable Minister for Agriculture contend that he is not in a position to find more than 15 Hindu agriculturists for these posts ? Can the Financial Commissioner maintain that Hindu agriculturists cannot be had in larger numbers for these posts ? The difficulty is that those who are in a position to manipulate things are opposed to Hindu zamindars and the Minister and the head of the department concerned are too busy or too indifferent to detect or check this manipulation.

Lastly, I will come to the department of education. Here again I will not touch the provincial service, class A. I will speak only of class B where there are only two zamindars as against 46 non-zamindars. In the subordinate educational service, anglo-vernacular section, there are only 47 Hindu agriculturists as against 481 non-agriculturists. Among the district inspectors of schools there is not a single agriculturist whereas there are nine non-agriculturists, and this in spite of the fact that the accepted policy of Government is supposed to be to have as many agriculturists in the inspection line as possible.

I have quoted these figures in order to convince the House that sheer injustice is being done to Hindu agriculturists (*hear hear*) and that too in spite of the fact that the Honourable Revenue Member is himself a zamindar, the Honourable Minister for Agriculture is a zamindar and the Honourable Minister for Education also is a zamindar.

The Honourable Malik Sir Firoz Khan Noon : I have recruited no fresh people at all.

Rao Bahadur Chaudhri Chhotu Ram : I have no figures to contradict that statement, but there must have been some recruitment in the subordinate grades without the knowledge of the Honourable Minister. In that sphere, you can certainly lay down the policy and proportions, so many posts should be given to agriculturists and so on (*Interruption*). I do not want to be interrupted, and I am not going to answer these questions any more. The Honourable Finance Member has the reputation of being pro-zamindar, but he has done precious little to justify that reputation. There was an incident of recruitment in one of his departments which I would have quoted on the floor of the House where according to my view injustice was done to an agriculturist of very good qualifications, but that question I happened to discuss with the Honourable Finance Member in his office room and therefore I feel precluded from bringing that question forward here. The explanation he gave went to some extent to justify the position that was taken by him.

I may also be allowed to make a brief reference to the existing land revenue system. It is a standing grievance of all the agricultural classes and the grievance is so serious that I have grave misgivings in my mind that unless Government gives early attention to this question things may take a turn which may be fraught with danger to everybody. Under the present land revenue system what is happening is a thing which will be regarded as absolutely unjustifiable by anybody who has any sense of justice about him. What is the state of things? In all sorts of incomes you have some sort of exemption limit incomes below which are immune from any tax. Of course I know there is an argument which is frequently put forward that land belongs to the State and that agriculturists are individuals who though called proprietors are really a class of tenants under the Government. But that theory is an exploded theory and things have advanced to such an extent that nobody is likely to listen to a theory of that character.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Except in Russia where everything belongs to the State.

Rao Bahadur Chaudhri Chhotu Ram : I am afraid I am not acquainted with things as they are in Russia. I know only about the Punjab and the grievances of the Punjab population under the present system. In the case of the landholder every marla of land which he owns and possesses is assessed to land revenue. Can you find a parallel?

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Mr. H. Calvert : Yes, in every country in the world.

Rao Bahadur Chaudhri Chhotu Ram : You are wrong. I am not prepared to accept such a statement. Then another feature of the present revenue system is that there is no gradation whatsoever. A man who owns five acres has to pay at the same rate as a man who owns 5,000 acres. This is another serious anomaly which requires attention. Then remissions are practically nil. Unless there are suspensions for three harvests in succession, there can be no remission under ordinary circumstances. You cannot expect the agricultural classes to pray to God that rain may be so scanty as to force three successive suspensions. With regard to suspension itself there is another very strange thing. Land revenue is suspended in one harvest or in one year on the ground that the zamindar has not been able to

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produce sufficiently good crop to justify payment of land revenue. That suspended land revenue would be put on to the demand of the year in which there has been a crop, even an indifferent crop. A poor zamindar is unable to raise a crop which would enable him to pay land revenue and on that ground suspension is granted, but when he has any crop, never mind if it is even an indifferent crop, the Government will insist that the poor man should pay not only the land revenue for that harvest but land revenue which was suspended on the ground that he was not in a position to pay in that particular harvest.

Take another feature of the same system. There are two kinds of revenue—fixed and fluctuating. I will not say anything about fluctuating revenue but will take for discussion the instance of fixed revenue only. A man may own a hundred acres but he may have sown only 40 acres out of it. But he will have to pay not only on the 40 acres on which he has sown that crop but also in respect of the remaining 50 acres. This is a point on which there may well be legitimate soreness. A man who has sown only 15 acres out of a hundred should be made to pay only in respect of those fifteen acres and not for the remaining 85 acres as well.

There are certain other features also, for instance, rigorous rules of realisation and penalties for failing to pay or for refusing to pay, but those points I will not touch upon to-day.

I may now be allowed to come to the question of water rates. This question has been discussed threadbare on the floor of this House and I have not much to add. What I insist on is that the Department of Irrigation should be run on commercial lines. Let an attempt be made to place the Department as a whole on a commercial basis, and see that the expenditure is on the same scale as would be allowed by any business concern. All Government departments are extravagant in expenditure, and the commercial concerns that have been undertaken by Government have proved failures. Why? Because the scale of expenditure and overhead charges are extravagant. No commercial concern undertaken by Government and managed by Government agency has ever succeeded or will ever succeed unless run on strictly business lines. Therefore I beg to submit that the Irrigation Department should be placed on a commercial basis and the scale of expenditure ought to be no higher than what will be allowed by any business house.

I may also be allowed to make another suggestion and that relates to the institution of a separate budget for the Irrigation Department, just as in the case of the Railway Department. The Railway Department has a separate budget of its own, similarly the Irrigation Department ought to be allowed to have a separate budget of its own. This will ensure a more dispassionate discussion of the budget and probably the whole subject will be better understood by the House than it is understood at present.

I will now touch briefly on the question of revenue reserve fund. I think it was in 1926 that a new fund known as the revenue reserve fund was started with the object of serving as a reserve to fall back upon in exceptional times of financial stringency caused by drought or famine or by any other widespread calamity. That was a very good idea but unfortunately that idea was

given up and the creation of a special revenue reserve fund was abandoned. I suggest to the Government and the Honourable Member for Revenue that an attempt should be made to revive this revenue reserve fund. A sufficient amount should be put into this fund every year, so that the stability of the budget may not be disturbed violently by any unforeseen fall in land revenue or of irrigation rates. That fund will help to stabilise the financial position of the province and Government will be in a better position to come to the rescue of the zamindar than it is now.

The Finance Secretary was kind enough to lend me certain figures by which he desired to show that whatever the amount of reduction that may be effected in the salaries allowed to officers and establishment, it will not be possible to grant any effective relief out of the savings which result from this reduction. He divided all the various posts into ten different categories and suggested a scale of reduction which he called quite reasonable and beyond which he suggested it was not practical politics to go. So far as the top grades are concerned, I must concede that under the existing conditions it is not practical politics to think of any higher scale. Whether the Punjab Government, even if they wished, would be allowed to go even so far is very doubtful. But the scale of reduction which he had in view for the purpose of calculation was liberal, that is, for the topmost posts he took 88 per cent. as the basis of reduction, and calculated what the saving would be. Similarly there were other scales of reduction descending to 25 per cent., 20 per cent., 15 per cent., 10 per cent. and lastly to 5 per cent. With regard to this I can only say that there are two great limiting factors which prevent anything effective being done. One factor is the authority which governs the destinies of this country, which is not located in Lahore, not even in India, but at Whitehall. The destinies of this country are being ruled by an authority which is at a distance of 7,000 miles from the shores of this country. Neither the local Governments nor the Government of India, even if they wish, are in a position to make any reductions beyond a certain scale; that is, a scale which has the sanction of the Secretary of State. This is a serious limiting factor and so long as this factor exists it will be a mere academical debate to think or suggest or discuss scales of reduction in respect of the salaries of those officers who are recruited by the Secretary of State and whose emoluments cannot be reduced except by the authority of the Secretary of State. If this limiting factor were removed, one could suggest means by which a sufficiently large saving could be effected. If you can allow me, Sir, to discuss this point even from a purely academical point of view, I would say that the first thing which should be done is to reduce the number of Europeans to a minimum figure. Let there be as few Europeans as possible. Let as high a scale of pay be paid to that minimum number as would induce the highest talent to come out to India. After you have provided for the minimum number of Europeans on a reasonably high salaries, all Indians should be brought down to a scale which the province or the country can bear. I am not a believer in the formula that an Indian should get the same amount of salary as a European. After all the European leaves his home, comes here and in some cases has to maintain two establishments. And above all he is not an Indian and you cannot expect him to make the same sacrifice for this country as you can reasonably expect of an Indian. Again, the standards of life that prevail in Europe are entirely different from those which prevail in this country or at least ought to prevail in this

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country. I made mention of two limiting factors—one that the authority which presides over the destinies of our country resides at Whitehall and not in India. The second limiting factor is the present unfortunate mentality of Indians themselves. Our mentality has been unfortunately Europeanised, westernised. That mentality requires to be orientalised again. Europeans have set up a very high and artificial standard of life. They insist on very high standards of physical comfort—eating, dressing, entertainments and so on. But the original conception of orientalisists was not service of self but service of the country, service of humanity. Let that old original mentality come back and everything will be solved. (*A voice* : Do not exclude *mahman niwazi* from the orientalisists). Indians are proverbially hospitable. That is perfectly true, but their hospitality never includes those items of champagne, port, sherry, those costly liqueurs, Havanna cigars and cigarettes. You may have any amount of *pulao*, *mutanjan* and *biryani*. Those things will not cost you much. Those Havanna cigars and those costly liqueurs will ruin you. As ill-luck would have it we have become Europeanised. We have no business to copy Europeans. On the other hand we ought to have orientalised their mentality instead of allowing our mentality to be westernised in these respects. There are many things in which we can with profit imitate Europeans. But the standards of life are not the things which ought to have been copied by us and unless we are able to shed these borrowed feathers we shall ruin our province, we shall ruin our country, we shall ruin ourselves. This second limiting factor should also be eliminated and if it is eliminated, there is no reason why an Indian who is now receiving Rs. 1,500 a month should not be able to work on Rs. 750 a month. I have no belief in the cult of *Khaddar* in its ordinary sense but so far as it implies that we should be simple in our life, I am a firm believer in it. Let us go back to simplicity in life. Let us go back to simplicity in standards of life and everything will be solved. There is no reason why an Indian should insist that he should be allowed the same concessions by way of passages, etc., as Europeans are. An Indian claims the same concessions as are allowed to Europeans for visiting their homes. The Indian also says, "I am going home," not abroad, mind you. How ridiculous is the whole state of things ! If I had the power I would do away with the Lee loot in a minute. But unfortunately that limiting factor which ties the hands of the Government of India, the Government of the Punjab and the private members of this House is there. We cannot do anything. Under this system of Lee loot even Indians are allowed the same concessions for passage, etc., as Europeans. There is a good deal of well-founded criticism in the press that the idea underlying the concessions of Lee loot was to have as many co-sharers in the loot as possible. *Dahan-i-sag ba lugma dokhta bil*—so goes the saying—(Throw a morsel to a barking dog to shut his mouth). With these two limiting factors gone, we shall be able to restore a standard of expenditure in this province as well as in this country which will not be a burden that cannot be borne by the inhabitants of this country.

I may also state a few things for reducing the expenditure. Firstly, the working expenses of irrigation should be further reduced. Secondly, the Buildings and Roads Branch of the Public Works Department should be

abolished or, at least, its rates should be substantially lowered. Thirdly, there should be a uniform attempt made to reduce the strength of all cadres. This brings me from the sublime to the ludicrous, from big things to small. Things petty in themselves cost the Government a great deal. Go to the headquarters of any district. Here is a bungalow occupied by a Government official as an office or a residence. There is a *chaukidar*, a *bhishti*, a *mali*, a sweeper and so on. There is another bungalow occupied by another Government officer at a distance of about half a furlong. You will find a similar establishment repeated there. Another bungalow and you will find the same thing repeated there. (*Interruption*). It is not a question of being hard on anybody. After all money has to be found somewhere and these are things which really go to swell your budget. If you are able to bring down the expenditure even by 10 per cent., there will be a very considerable saving. Therefore unnecessary establishment that is found to exist anywhere should be done away with. It is not a question of being hard on petty people. It is a question of saving the province from ruin. I do not think sufficient attention has been given to the subject. And if any relief is to be given to the over-burdened zamindar all these things will have to be attended to. The zamindars will not be able to pay either land revenue or water rates. These *kharaba* rules alone if worked in a fair spirit will bring your income down very appreciably. If remissions are given on a fairly generous scale, your land revenue will come down to 50 per cent. Under the present conditions there are not even 10 per cent. among the zamindars who can meet their obligations. Government dues are not being paid out of the produce of the soil. They are being paid either out of credit or out of the sale of jewellery or cattle. Sometimes people have to depend on the generosity of their friends or relatives to enable them to pay their dues. Let this factor not be lost sight of. After all, the sources on which the zamindars are now depending for the payment of Government dues will disappear. Most of them have already disappeared. Where is the money to come from? People will have either to be sent to jail and their holdings confiscated or there will be no finances left to depend on. I am not hard on the petty *chaukidar* or *bhishti* or sweeper. But just think of this aspect of the question. Where is the money to come from? Is not every individual member in this House conscious of the fact that the zamindar is not paying land revenue and water rates out of the produce of the soil? I am not speaking of all. But a very large proportion of the zamindars are not able to meet their obligations out of what they get from the soil. Therefore we are bound to come up against the position one day or another, that there will be no money to pay to these superfluous establishments. Impossible. We cannot blink at stern facts if we want to face the situation. Let us not ignore facts. Let us not shut our eyes to existing realities. Therefore I beg to submit that these factors ought to be taken very seriously into consideration. The question of the land revenue system ought to be gone into at once. I do not suppose that you can make any radical change to-day. But the Government has even failed to take any notice of it. What is going to happen if the zamindar begins to abandon his land? It is all very well for people to say, "if the zamindars abandon their land, we are there to take it." But no body will take a losing concern. And I know that land is a losing concern at present, except, perhaps, in the case of big landholders who have got irrigation facilities. Ordinary small holdings even with faci-

[R. B. Ch. Chhotu Ram.]

ilities for irrigation and almost all holdings in *barani* tracts are not a paying proposition at present. The zamindar has a sentiment for land and unfortunately he has nothing else to depend upon. Otherwise by this time all lands would have been abandoned. Therefore I beg to submit that the Government ought to take serious notice of the sufferings of the zamindars on account of the present economic conditions as also the land revenue system which works great hardships. Unless the Government is prepared to do that, I am afraid very serious trouble might ensue. Sir, with these remarks, I resume my seat.

Dr. (Mrs.) M. C. Shave (Non-official, nominated) : I wish to take up only one point in the speech of the honourable member who has just sat down. He wishes to retain a few very highly paid Europeans at the top and below this grade to reduce everything to what he calls the simple Indian standard of living. The reason why the Indian has been objected to in South Africa, Canada and everywhere else is because his standard of living is so low. He lives on so little that he becomes an unfair competitor in the ordinary struggle for life and here in India a member proposes now to level down everything to his standard. I know efforts are being made to see that the standard of the Indian is raised so that we may get our proper place in the world. There must be no levelling down but there must be levelling up. We must give our servants bigger wages, and better housing. It is of vital importance that we do this, because the curse of this country is its miserable standard of living and this lowers our position in the world.

Mian Nurullah (Lyallpur South, Muhammadan, Rural) : Sir, the budget speech by the Honourable the Finance Member is one of the greatest events of the year because everybody in the province looks up to him and waits anxiously what is going to happen. It is curious how in an hour or so the whole thing is over and all the guess work stops and everybody becomes quiet. All know what is coming. The Finance Member has manipulated the figures this year well and deserves our congratulations. (*Interruption*). I mean he has dealt with the figures very well and has shown a surplus of 25 lakhs in the current year. Sometimes we are left with an imaginary surplus and sometimes with a deficit. It is remarkable and shows what pains the Finance Department takes when we find that on the expenditure side the difference between estimates of 9,82 lakhs and the actuals is only 2½ lakhs. The surplus is there on paper. It is all imaginary and I doubt if there would have been any surplus had remission been given. If you go out into the country and see how the zamindars are paying their revenue for the last *kharif*, then everything will be evident. As the honourable the Leader of our party has just now said, if zamindars take it into their head to abandon their lands, then what will happen? Recently I had been to certain villages. I saw the zamindars, and I had a discussion with them. Many of them want to fly away. By flying away I do not want to be misunderstood that they can afford to do so in aeroplanes. They want to run away somewhere. When I talked to them of the new colonisation in Sindh, thousands of them flocked round me and said, please take us there, anywhere. That indicates the condition in the villages. People have no fodder and are giving *khor*i and green leaves of trees to the cattle.

It is gratifying to learn, however, from the speech of the Honourable Finance Member that two of our great projects are coming to an end this year or next year. I hope that in the near future they will give us enough revenues so that we might have surplus budget always. It is creditable and very satisfactory indeed to note that the savings effected by the department by way of retrenchment come to 65 per cent. of what was proposed by the Retrenchment Committee. This is really marvellous. I find at the bottom of page 6 of the budget speech that an officer is going to be appointed to go into the question further. I hope he will examine thoroughly the possibility of retiring old hands. I hope that he is not old himself. I would like to point out that further efforts are necessary. The retrenchment effected under pay of establishment is only about 6 per cent. I would like to see it doubled. At least efforts should be made.

Now I proceed to the very important question of cut in salaries that has been restored by 5 per cent. It was myself who in 1930 at Simla while arguing my case for a reduction of 25 per cent. in *advisory* demanded that the salaries of the officers should be reduced and income-tax levied on incomes of Rs. 1,000 and over. I am glad that something is done although now the cut is being restored only after 16 months. We are going to follow the Government of India. The conditions in the Government of India are quite different from what they are here. The Government of India have many and varied resources while we have nothing to fall back upon except land. Restoring the cut would cost about 1,00 lakhs and they have managed to save about 90 lakhs in their military expenditure alone. We are not bound to follow their example. We are not wedded to them in this respect. I do admit that the Honourable Finance Member has made out a good case for following the Government of India, but I do not agree with him that if we had not, it would have been very inequitable. There could be nothing more inequitable than the very difference in the standard of pay and method of recruitment that exists between the all-India services and the services in the provinces. I ask further whether any businessman, whether any professional man or the zamindar has got his cuts restored. The answer is just the reverse. We are faced with a crop, I am referring to the coming *rabi*, when our cut would be increased. It might come up to 150 per cent. We are already living on our capital and it would be very difficult I should think to collect any revenues unless there is a substantial reduction and if you tell me that *kharij* revenues are coming in without any concession I would say that the flowing in of the revenues is no test at all of the capacity of the zamindars to pay. I would rather have foregone this surplus of 25 lakhs than shown it as a surplus and not give remission to the zamindars. Discontent is increasing and that would be the price of these 25 lakhs.

That brings me to the paragraph in the Honourable Finance Member's budget speech in which he says that the department has been very cautious in estimating their figures. I am glad to know that they are proceeding cautiously but their figures are bound to be over budgeted. As my honourable friend for Lahore pointed out yesterday the average excess of the estimated figures over the actual receipts for the last 6 years was about 85 lakhs and the figure of 10,54 lakhs is bound to be in excess by 85 lakhs even if we assume average conditions to prevail. I would now show how this is too much. The Honourable Finance Member proceeded on three assump-

[Mian Nurullah.]

tions. He assumed first the continuance of the existing rates of taxes. This would not be true because, as probably all of you know, the term of the last settlement in the Lyallpur district which pays about $\frac{1}{5}$ of the total revenues of the province has ended with last *kharif*. With the great fall in prices and with shortage of water supply and consequently less yields we cannot hope to go on paying the high rate of land revenue which was assessed in 1921-22 when the prices were at their maximum, when the index number stood probably at 250 as compared with 140 now, I am talking of England and it would roughly be the same here. I have always preached another policy of land revenue. Just as the Leader of my party pointed out, this is a thing which every one wants to be looked into. I have been preaching that the land revenue should be based on index number of prices which means that the Government would get more or less as the prices rise or fall. Land revenue should be based on some sort of a sliding scale. Land revenue in the Lyallpur district must be re-assessed and I believe it would not cost Government very much. Secondly, in 1928 the Council and the Government amended the Land Revenue Act by which they reduced the maximum standard of assessment from 50 to 25 per cent. We want to take advantage of all these things and I want to assert that if the Government refuses to re-assess the Lyallpur district and just by the issue of a notification which they have every right to do collect from us the same amount of money it would be nothing less than what people call *Nadir Shahi* or *Sikkah Shahi*. Laws are made for the good of the public. There should be ethics, morals and reason behind the law always. I hope that the Government will take action before they approach us for the next collection. That was the assumption that the Honourable Finance Member took up and it is bound to be wrong. Again, the level of prices is not sufficiently high to enable the tax-payer to pay the dues to the Government. How can you expect us to go on paying the old rate when prices have gone down so low. I will just point out for example the rates that were taken when our land revenue was assessed in 1921-22 and how they stand now. Six crops were taken and the rates quoted were—

Wheat.	Cotton.	Sugar- cane.	Gram.	Toria.	Makki.
Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.
3 12	9 6	6 4	3 4	5 10	3 0

Now the average for the last three years in the month in which zamindars sell their crop is—

Wheat.	Cotton.	Sugar- cane.	Gram.	Toria.	Makki.
Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.
2 3	6 10	3 12	2 6	4 6	1 9

How can we be expected to pay the old rates? I just see the Chief Engineer sitting in front. The great shortage of water supply has been one cause of complaint and is a factor which we cannot ignore. I have a long list of closures which I need not go through now. I know of a division where as many as 88 per cent. of fields are *kor*. In others it might be much more. The area sown is about 25 per cent. less. (A voice : Question). The figures taken by the Finance Secretary are going to be quite wrong as regards area sown as well as the quality and the quantity. We are not going to get the ordinary yield. It may be about 50 per cent. less. Now I come to the third assumption. With all this shortage in rivers and canals, with no water right up to the 15th February, how can you expect this to be a normal year? People are using *khori*, the dried cover of the sugarcane which they used to throw as waste. When this is being used in my district as fodder, how can you imagine that this would be an average agricultural year? That is impossible. I draw your attention to the speech of the Honourable Finance Member in the Legislative Assembly. He says :—

The future is still dark with uncertainty. Some of us may feel hopes that an improvement is coming, but one cannot make budget estimates or frame financial policy on hopes.

Central Government is hopeful that things are going to improve but here we see before us a *rabi* that is going to be one of the worst of its kind. Many people are preparing to go to jails. With these facts, can we say that we are going to realize the amount on which the Finance Secretary has based his figures of 10,50 lakhs? This is going to be an absolute wash out. It would be less by about a crore if unfortunately bad *kharif* follows, and certainly by 50 lakhs otherwise.

I might make a casual remark about the sum of 2 crores, the cost of concessions by the State. I would only say one word that these concessions have not been distributed equitably. Some districts have got more and others less; probably Lyallpur has got nothing at all. If at all, it may be only a small percentage. Another casual remark that I would like to make is that I am glad to notice that the Government is serious about the Khanki Head Works. Without these repairs the Government would be facing a serious mishap. If any mishap occurred as it nearly happened last year when—as the engineers themselves called it—we were saved only by the Grace of God, zamindars would have run away by now and we would have gone back to Jullundur or even further.

I now pass on to the paragraph where the Honourable Finance Member has particularly invited our attention to a debt of 18 lakhs to be discharged from the proceeds of extraordinary receipts. It is really sound finance. I would go further and try to wipe out the whole of the debt that we have contracted at the exorbitant rate of 6½ per cent. When money market is cheap it is time for us to rebuild our finances. Banks have lakhs of money because there are no safe investments and it is time to go to the market and wipe out all such debts as are not paying. A financier prides always on obligations undertaken at the least possible cost to the province or himself, and it is quite good finance that the Honourable Finance Member is suggesting.

I now pass on to the passage where the Finance Member draws our attention to the coming reforms. Certainly we are on the threshold of new re-

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forms and we welcome the idea that we should be able to pass on a financially sound province to our successors. For this, continuance of economy is most essential and before I sit down I must say that if we can get hold of a few more officers, capable, sincere and hard-working like our Finance Secretary, our finances in a few years' time would certainly be second to none in India. I therefore would like to congratulate Mr. Puckle on the quality and quantity of work he has put in and the results achieved. (*Cheers*).

Mr. D. J. Boyd (Financial Commissioner): I did not propose to speak but if the House wishes to hear me I shall be glad to do so. A great many remarks have been made on the land revenue system of the province and it is perhaps desirable that the Financial Commissioner in charge of land revenue should say something on the subject. Before I do so, I should first like to remind the House of the remarks made by the honourable member from Shahpur. He told us that the zamindars of the province were willingly paying their dues regarding land revenue and water rates. I think that everybody on the Government benches will gladly and gratefully acknowledge that their attitude in this matter, as in most other matters, has been excellent (*hear, hear*). The relations between the Government and the zamindars of this province have always been good even in times when there have been disturbances. These good relations are, I think, based on the very sound basis of unity of interest. It is in the interests of the Government that the zamindar should be as prosperous as possible and I am sure it is in the interest of the zamindar, and he recognizes it too, that there should be a strong and just Government to give him a chance of reaping the fruits of his toil upon the land. That Government has properly appreciated the attitude of the zamindar is, I think, fairly evident from what it has done in the last few years.

Since *kharif* 1930, the Punjab Government have remitted 2½ crores of rupees of land revenue and *abiana*. This is an enormous sum, and I think that there is just some little danger lest the honourable members of this House should forget the amount of concession that has already been made, or, at any rate may overstress the demands that are now being made by Government. While on the subject of the claims of zamindars I will say that I personally have every sympathy with the attempt of the Leader of the opposition to secure a larger share, a larger representation of the zamindar element in the services of Government, but I am not quite sure that he has not overlooked one very serious reason for the shortage of their numbers in Government services. That reason, I think, is that they have land to live upon and have not striven, as other classes, to secure their living by other means than agriculture. If they had made real efforts in the past to secure a larger share in the loaves and fishes of Government, I have very little doubt that they would have succeeded. I remember seeing once a tug-of-war between a team of policemen and a team of Indian Cavalry. I asked the Jamadar or Risaldar commanding the Indian Cavalry who was going to win. He said 'of course, the cavalry. These policemen are *Munshi log, likhne parhnewale bil kul kamzor*.' It is that attitude of contempt, that is to a very great extent, responsible for the shortage of representation of the zamindar class in Government service. But I am sure all Government officers will welcome an increase in their representation and do what they can to give them their fair share.

Another, and I think the main criticism, that has been made against Government in the speeches from the opposite benches, relates to Government's failure to grant any remission of land revenue in the harvest of *kharif* 1932. When the time came for considering whether special remissions were required, prices were, as the honourable member from Shahpur said, on the increase, and the necessity of special remission was not very apparent. It must be remembered that the settlements of many districts are now coming to an end. Present settlements were made 20 or 30 years ago when prices were even lower than they are at the present moment, and there can be no possible justification for special remission where the settlement was made at prices lower than they are at the present moment. The one district of which the settlement was made at high prices is Lyallpur and the case of Lyallpur district was very specially considered by Government. An actual estimate of the net assets of the various circles of that district was made, and was carefully examined at the headquarters of Government. Opinions of the local officers also were considered. In addition orders were issued to commissioners to discuss the situation with regard to the cotton crop with the deputy commissioners and superintending and executive engineers of the various canals which irrigate the canal colonies. Serious consideration was given to all the factors—the factor of prices and the factor of damage to the cotton crop, which prevailed in the last *kharif*. After this consideration the Government came to the conclusion that there was no case for special remission, although they were ready to encourage the district officers to give suspensions liberally and to assess *kharaba* with a liberal hand. It is difficult at this present moment to say what the results of the sympathetic attitude adopted by local officers are. But according to the returns which I have received, approximately 12½ lakhs of rupees of land revenue have been suspended in the districts from which returns have been received. We also know that in the extensions of the Lyallpur colony *kharaba* to the extent of 20 per cent. has been allowed. We can hardly expect that in the older parts of the colony *kharaba* to the same degree has been given, but we may safely put it at 10 per cent. There can be no doubt that the suspensions and remissions by way of *kharaba* of this last harvest will amount to at least 30 lakhs of rupees, possibly a good deal more.

I said just now that there was no case for special remission unless it was clear that settlements had been effected on a scale of prices very much higher than the scale at present prevailing. The proof of this has come from two divisions, the Jullundur division in which the land revenue was realized before due date, and that too with the minimum use of coercive processes. No application at all has come to me from that division for the sale of land of agriculturists for the arrears of the past harvest. In the Rawalpindi division, with the exception of one district, a similar statement is very nearly correct. If a general remission had been given it would have been very difficult indeed to omit two whole divisions without causing a sense of grievance, and if it is possible to avoid an invidious distinction of that kind, one should certainly do so. I do not think that the Government has failed in generosity with regard to the last harvest. I can assure the honourable members that it will not certainly fail in generosity in future harvests. I should like to assure the honourable member from Lahore that the 40 thousand rupees which have already been granted for relief operations in the Hissar district is by no means

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the last allotment that Government is prepared to make. The local authorities very naturally and very rightly ask for a sum the expenditure of which they can foresee at the time when they make the request. Long before 20 thousand rupees had been spent, they asked for another 20 thousand rupees. The honourable member can see in the budget that a sum of a lakh and a half has been provided for famine relief in the next year. He can rest assured that such relief as is required will be given.

There were many remarks made by the Leader of the opposition with regard to the land revenue system generally. I doubt very much whether it is necessary at this time to reply to them. There is a very small detail, however, with regard to which I think I ought to correct a wrong impression. The honourable member said perhaps by a slip of the tongue that no remissions were made in the ordinary course of the land revenue policy unless land revenue had been suspended for 3 harvests running. That is not correct. The correct rule is this that when land revenue has been suspended for 3 harvests it may then be remitted. Under such a rule it is not necessary that the land revenue of a particular village, of a particular estate, should be suspended for 3 harvests running, but that the suspended amount should have been under suspension for 3 harvests running. The honourable Leader of the opposition complained that land revenue was levied even in the case of lands which had not been cultivated in any particular harvest. This is perfectly true. But if he will see the rules he will find that land revenue is levied on a whole estate and the land owners of that estate are collectively responsible for it. Supposing 10 thousand rupees at the time of settlement is assessed on a particular estate, then this 10 thousand rupees is to be distributed over the various holdings. If in any particular harvest the villagers decide that in the case of lands which have not been cultivated, land revenue should not be assessed, they have only got to redistribute the demand and ask the sanction of the collector to do so, and if there is really a good case, I have no doubt, he will agree. But it should be remembered that assessment is not made on a particular part of a particular estate, but on the whole of the estate, and it is framed on the estimate of the average net asset of that estate. That average allows for lean years in which harvests have failed and land has remained uncultivated.

Sardar Buta Singh (Multan division and Sheikhpura, Sikh, Rural): I join in the tributes which have been paid to the talented Financial Secretary as well as to the eminent Finance Member. It is impossible to withhold

the congratulations especially when they both
4 P. M. have been able to draw such a rosy picture of the financial position of the province at a time when the country is passing through the acutest type of depression.

Coming now to a criticism of the budget, I must at the outset say that I am not at all satisfied with the facts and figures which, as one honourable member said, have been very ably manipulated with the result that a surplus has been shown in the budget. I submit that unless something is done to ameliorate the condition of the zamindars there is no immediate prospect of bettering the condition of the province. Although Rao Bahadur Chaudhri Chhotu Ram complained that the standard of living has been raised and that he was against it I am inclined to agree with Dr. (Mrs.) Shave that unless

we try to uplift the agriculturists ourselves it is absolutely impossible to make any advancement in any direction. When I look at the countryside I see the miserable plight of the zamindars. Hunger, need, starvation, all are staring them in the face. Every year we hear speeches and criticisms made in the Council, but I do not think they are ever met by the Government. It has ever so often been urged that the condition of the zamindars cannot be bettered unless there is a substantial reduction of water rates as well as land revenue. I need not refer to the speeches of the years past, but I shall only refer to the budget speeches of last year. It was pointed out by many of my honourable colleagues that unless and until something radically was done for the zamindars their condition could not be raised. I ask, what is the use of making speeches and criticising the budget unless Government is going to listen to them and adopt the suggestions that we make? I shall read certain extracts from the speeches which were delivered by some of the honourable members on the occasion of last year's budget. Khan Bahadur Mian Muhammad Hayat Qureshi said in so many words—

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 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.

My honourable friend Pir Akbar Ali said—

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.

Then, again, Khan Bahadur Sardar Habib Ullah stated—

They have no more capacity to pay. Unless you improve their condition, you cannot expect additional income.

The Honourable Minister for Agriculture also agreed and said—

The honourable member also dwelt with the collection of debts owed to co-operative 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.

Then, again, Mr. Nanak Chand Pandit said—

If I have the time I could point out actual figures. But so far as the income is concerned, the Financial 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.

I have quoted all these extracts from the speeches of different honourable members representing different parties in this House. It is clear that the Council was unanimous that something should be done to ameliorate the conditions of the zamindars. What was their suggestion? It was that some substantial reduction should be made in the water rates as well as in the land revenue. It has been suggested many a time that water rates could be very conveniently substantially reduced, but at that time my friends on the opposite benches said that this was a commercial concern and that they were not therefore going to listen to the requests of the zamindars, but that they were going to charge for water whatever they thought was equitable and just. My friends will remember that some few years ago when first

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this *abiana* was raised, the argument advanced was that because the prices of commodities had gone up, because agricultural produce was fetching higher prices, so the Government was entitled to take its own share. It is absolutely unfair to attack on both sides. If the times are prosperous and if that is advanced as a sort of argument for enhancing water rates, then at the time of depression when the zamindars are in need the Government puts forward the argument that it is a commercial concern and that they will supply water only at their own price and it is open to zamindars to take water or not. In this connection I should like to quote an extract from the speech of one, a former Revenue Member, Sardar Sir Sundar Singh Majithia while discussing a resolution on *abiana*—

There is another point which has already been referred to by Lala Mohan Lal, but which I should like to emphasise again. The mean value of all the crops has now greatly increased. Thus for instance, the mean value of sugarcane in 1885 when the water rates were first introduced was Rs. 84 per acre and the water rate charged was Rs. 7-8-0, that is, a ratio of one-eleventh and the mean value of the same in 1924 is Rs. 161 and the water rate to be charged will be Rs. 12, that is, a ratio of one-thirteenth. Thus we take only one-thirteenth of the produce instead of one-eleventh which we took in 1895. Again in 1895 two maunds, six seers and six chhataks of gur was necessary to pay this water rate, whereas now only one maund and twenty-three seers are needed to pay the present enhanced rates. The mean value of rice at that time was Rs. 52 and the water rate was Rs. 6-4-0, that is, one-eighth of the value. The value at present is Rs. 86 and the water rate is Rs. 7-8-0, that is, we are taking one-eleventh of the produce. The cotton mean value at that time was Rs. 30 and the water rate Rs. 3-12-0, that is, a ratio of one-eighth, whereas the present price of cotton is Rs. 128 and the water rate is Rs. 6-4-0, that is, a ratio of 1/21st. In this connection I may remind you that in America they charge 1/5th to 1/8th of the produce and in Egypt they charge 1/7th while here we charge 1/21st.

Again, the then Financial Commissioner Mr. King said—

I have explained, I hope, satisfactorily that the zamindar is really not the poor man which he is supposed to be, and that he can afford to pay.

Well at that time I could afford to pay. Now when I cannot afford to pay, I am told, that water rates are to be assessed and collected on commercial basis. At this stage I would draw the attention of the House to a statement made by you, Sir, when you were only a member of this Council. You then pointed out, Sir, the instance of salt.

An Honourable Member : Is the honourable member in order in referring to your speech ?

Mr. President : He is referring to the speech of a member of this House.

Sardar Buta Singh : You gave the instance of this ordinary commodity of life and there you pointed out that although it was within the province of Government to give the monopoly of salt to anybody else, Government could not very well say : " We can sell it at such and such a rate, so, if you do not like to accept that rate, please go away." Similarly there was another instance given that if railway authorities were to say that a certain person is to carry a certain amount of luggage on an ordinary country cart from Patiala and such and such would be its cost and that they are going to take that much and not less than that, that would not be fair. I am going to quote from your speech a passage as to what should be the relation

between the Government and the zamindars. Government is not a commercial concern. You said—

Government should not play the role of traders and treat the zamindars as customers, inasmuch as the relations of Government with zamindars are much nobler and stronger than those between a merchant and his customer, and I am confident that Government would not demand more than the zamindars can pay. I am not addressing the "bania" Government which may demand categorically 'a pound of flesh'. On the other hand, I am addressing that sympathetic and generous Government which gives *taccavi* to the zamindar when it finds him in need of it and acts promptly and mainly to relieve the inhabitants of flooded and famine stricken areas, and I hope it will consider the case of zamindars very favourably and sympathetically.

Not only that, Sir. I am going to quote the Revenue Member himself, and before I do so I must claim that the zamindar has always stood by the Government and tried to do his level best for the Government and he has always tried to pay off his debt. The Honourable Revenue Member said—

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.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I still stick to that statement.

Sardar Buta Singh : But there I do not agree with the Honourable Revenue Member. I have already said that Government should not try to take with both hands, but they should also try to see that the zamindars are really during these days very hard hit. Something radical should therefore be done. There should not be evolution, but there should be revolution. In that case you will be able to achieve something. If you do not ameliorate the condition of the zamindars, if they are not prosperous, what is the consequence? You have it before your eyes. All the industries are failing. So, I would request the Government to do something. Government should not merely come prepared to reply to our criticism, but they should try to find out the real disease and its remedy as well. Government would probably say that I should suggest some remedy. In the first place, my reply would be that it is the business of Government; they have such expert advice at their disposal. Then it is their duty to do so, because they are paid for this job. But if they want me to say what I would do, I would associate myself with the speech of Rao Bahadur Chaudhri Chhotu Ram as regards the remedy which he proposes. It is quite simple—I do not mean to say that it is quite simple in its actual working but that the question is quite a simple one, that there is no reason why land should not be assessed on the basis of income-tax. Why should there be two different ways of assessing a thing? So, with these few remarks about this, I would request the Government that they should try as far as possible to substantially reduce land revenue as well as water rate and try to find income from some different sources to meet their expenditure. (*A voice : Which source?*) Retrenchment is one way. Though Government has done already something on that score, there still remains much to be done.

Besides this I want to draw the attention of the House to two or three other matters which have already been discussed in this Council. The other day my friend from Sheikhpura said that not much has been done

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for female education. But, from what I have seen in connection with my duties as a member of the University Inquiry Committee, I can assure the House that a great step forward has been taken by the Education Department in this direction. There is not a district where you do not come across very beautiful girls schools. Then there are training schools for girls. But I would point out to the Honourable Minister for Education that there are still a few districts left, especially Mianwali and my request is that these districts should not be neglected.

Up to now I was not aware of what the scout movement was. I wondered what Mr. Hogg was doing here and there, but now I can tell this House that he is doing wonderful work in the province. The games that he is introducing in boys and girls schools are really very useful for them and provide them with a lot of exercise, fun and healthy amusements. Then, Sir, I have several grievances on behalf of my community against the Department of Education. I shall put them before you very briefly in the hope that they will be redressed. My first grievance is that there is no Sikh permanent divisional inspector. Then I would request for an increase in the number of Sikh headmasters, teachers and lecturers in the subordinate educational service; an increase in the number of deputy inspectors, district inspectors and professors in the intermediate colleges; for an increase in the number of Sikhs in the provincial educational service; for the appointment of Sikh ladies in the provincial educational service; for the removal of restrictions in connection with award of Government scholarships to Government institutions; for the withdrawal of notification regarding grant-in-aid to secondary schools; for the inclusion of the Khalsa College in the scheme of colonization of land; and for the removal of all restrictions regarding the use of *jhatka* in all the hostels of Government institutions. These are few of the grievances which the Sikh community have, and I hope the Honourable Minister for Education will kindly redress them.

There is one other point which I wish to bring to the notice of this House. Yesterday or the day before, my friend Chaudhri Shah Muhammad made certain observations with regard to the Co-operative Department. I do not agree with his observations. I have been the honorary secretary of the Central Co-operative Bank, having been one since its very inception, and I can say that this movement has done a lot for the zamindar. The difficulty is that on account of financial stringency and the consequent increase of their indebtedness it has become difficult to make payments during these times. But there is one real grievance to which I wish to draw the attention of the Honourable Minister for Agriculture and that is this that I have so far failed to understand the meaning of arbitration as it is understood in the Co-operative Department. There are two parties which can entrust a case to arbitration, but there is a strange law in the Co-operative Department that it is only the officer in charge who himself appoints an arbitrator who gives his decision. I think that is very hard. Something should be done to do away with that practice. There is one other thing which I want to bring to the notice of the House and that is this that whenever any zamindar has got a real grievance against the Co-operative Department nobody is prepared to listen to it, because the higher authorities always want to keep up the prestige of the lower subordinate officials. I

think they should try to be a little more sympathetic towards the poor zamindars and the people who live in the countryside.

Then, again, I have always been drawing the attention of the Government and I will do so this time also through cut motions to the fact that the Sikh community has been treated very step-motherly in certain respects. Take the case of the High Court. I fail to understand why not a single Sikh has so far been appointed as a High Court Judge. Just as my honourable friend, Chaudhri Chhotu Ram, was drawing the attention of the House to the paucity of Hindu zamindars in the services, I wish also to draw the attention of the House to the fact that in all these departments mentioned in the consolidated statement here, the Sikhs are under-represented. If I draw your attention to the representation of notified agricultural Sikhs, then you will find that in many instances there is not a single person holding any responsible or superior post. From a perusal of this statement we find that the Sikhs are suspended as it were in the air. There is nobody at the top and there is nobody in the clerical establishments. Mr. Sale is not here, but I have got a special grievance so far as his department is concerned. There is no Sikh belonging to the notified agricultural tribe against any of the posts mentioned there. Government Advocate : none. Assistant Legal Remembrancer : none. Public prosecutors : none. Superintendents : none. Head-clerks : none. And the grand total is zero, out of a total of 45. Similarly there are other departments where the representation of my community is very little. The time at my disposal is short and I wish therefore in brief that the grievances of my community are fully redressed.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) : As the time at my disposal is short, I propose to refer very briefly to the points raised by the various speakers. To begin with I wish to thank Mr. Owen Roberts for his very lucid and instructive speech on railway matters. I can assure him that we look upon his proposals and suggestions with great sympathy. But as he is aware the matter does not rest with us. It rests with the Government of India and we will be glad to convey his views to the Government of India when a suitable opportunity offers. The next speech was by my honourable friend from Ambala who among other things criticised Government for reducing the number of patwaris. I am sure that no one else in this House will endorse his views. Neither in this session nor in the previous sessions of this Council has ever a suggestion been made that we should not retrench posts which we consider to be redundant. We found that there were a number of assistant patwaris who could be retrenched without impairing the efficiency of the department owing to cessation of settlement work. Government could not be expected, in these times of financial stringency to keep people who are redundant although they belong to the subordinate grades of Government service. (*Interruption*). I can assure the honourable member that these assistant patwaris are redundant, and we propose to do without them till such time as we find it necessary to re-employ them. The same remarks apply to forest guards. I can assure the honourable member that I would not have touched even a single forest guard if I was not satisfied that it was possible to do so without in any way affecting the efficiency of the department. The honourable member was probably comparing the numbers given in the current

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year's budget with those of last year's budget and that is why he came to the erroneous conclusion that these men had not been actually retrenched. If he will look at the budget of the previous year he will find—and I hope he will give us some credit for it—that we anticipated the Retrenchment Committee's report. The reductions in the Irrigation and Forest departments began long before the Retrenchment Committee's report was placed in the hands of the Government. The departments concerned deserve credit for this and not odium. As regards the provincial forest service, seven provincial forest officers, much to my regret, have had to be reduced because they were found to be redundant. As to the imperial service officers, we have still got 10 officers who are superfluous, and we have requested the Government of India to dispose of them by sending them to other provinces. (*An honourable member* : Why did you employ them ?). I did not employ them. They were recruited in the first flush of the Reforms in 1921, or thereabouts.

My honourable friend, Sardar Habib Ullah, raised the question of interest on *taccavi* loans and this has already been answered by the Finance Secretary. As for the alteration of the land revenue system, which has been advocated by the honourable member for Lahore and also the leader of the Unionist Party, I may remind you, Sir, that this is not the first time that this matter has been raised in the Council. As you are aware, this matter has been pressed not only by the Unionist Party but by other members also ever since the present Reforms were inaugurated. The members of the Unionist Party pressed for an amendment of the Land Revenue Act, and the Amending Act was passed in 1927 or 1928, I think, and was hailed by the members of those benches as Magna Charta of the zamindars. (*Rao Bahadur Chaudhri Chhotu Ram* : So far as it went.) The honourable leader of the Unionist Party has himself conceded that he does not expect any Government much less the present Government to be able to get out of the rut or groove in which the present system has been working not only since the advent of the British rule in this province, but since the advent of the Moghul rule in this country. It would take considerable time and effort to get out of this groove. And what is even more important we will have to find other sources of income before we can even think of amending our present system of land revenue. We will soon be getting new reforms ; and when there is a popular Government in power, perhaps it may be possible for it, with the help of the legislature to devise means for altering the present system. But I might sound a note of warning also. The future Government will find great many difficulties and obstacles in their way, and the problem might well prove to be a rock on which many a cabinet may come to grief.

I now come to the question of water rates which has as usual loomed large in the discussion and was mentioned by every one of the members who spoke from those benches. I am afraid I do not agree with the honourable member who spoke last—I mean the honourable the Deputy President—that the water rates should be assessed according to the prices of commodities. That is not my view, and I trust that the House has also accepted the revised policy, which I have so often declared in this House, of considering the Irrigation Department as a commercial department.

The honourable the leader of the Unionist Party has said that we should treat it as a commercial department and try to run it as a commercial department. (*Rao Bahadur Chaudhri Chhotu Ram*: On business lines). That is the ideal which I have in view and I trust that if I am not able to give full effect to this policy, the future Government which will be a popular government, will be able to do so. In this they will have my fullest sympathy. As for the present, I can assure you that the canal department is not a profiteering concern as some people seem to imagine. You must give credit to the department for reducing no less than 75 lakhs in maintenance and ordinary expenses. But it will come as a surprise to some members that in spite of this huge reduction the profits on the capital invested do not amount to more than 2.8 per cent. This is not a big percentage. But by stressing the point, I do not wish to convey that there is no possibility of further improvement. There is always scope for improvement and we will continue to endeavour to achieve even better results. A suggestion was made that the budget of the Irrigation Department should be separated from the ordinary budget. If by separation it is meant merely that the discussion on this part of the budget should take place separately, I do not think that we would gain very much by adopting this new procedure. But if by separation it is meant that this department should be run on commercial lines, and that a fixed annual contribution may be made to the provincial exchequer, then I will be glad to consider the proposal, which, of course, will have to be examined by our financial experts. But I should also like an assurance from the members that they will try to give up the almost chronic habit of pressing in season and out of season for a reduction in water rates at every meeting of the legislature.

They will have an opportunity of discussing the budget every year, but so far as the rates and the amount of contribution is concerned it should be open to a periodical review only say after every 5 years. If this is what the House wants then the matter is worth pursuing and examining. The arrangement would be somewhat similar to that adopted in the Assembly in regard to the railway budget. It is a complicated problem and I cannot promise that I will be able to see it through in my time, but still if the honourable members are keen and are prepared to put forward concrete proposals I can promise them sympathetic consideration.

The honourable member from Shahpur (Qureshi Sahib) mentioned that there was scope for an increase in income from our colonies. He said that our temporary cultivation rates do not represent the full return which Government should get, and he suggested the appointment of a special officer to enquire into these matters. I am much indebted to him for this proposal which will receive careful consideration. He also mentioned that the supply of canal water on the contract system would not be welcomed in his part of the province unless the quantity of water which they are getting at present remains unaltered, and the price charged is based on the permissible area. He is no doubt aware that in some cases irrigators with 75 per cent. "haq" have been getting 90 per cent. water. If they want to retain that water, it is only fair that they should pay for 90 per cent. and not for 75 per cent. The same member also suggested that we should try to increase the number of educated chaks. My honourable colleague, Financial Commissioner, Development, has recently visited these chaks

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and considers that these youngmen are working hard and doing their very best. If the experiment is successful as we hope it will be, and we come to the conclusion that it could be further extended, provided of course that land is available, Government will be only too glad to extend its scope. I might also inform the House that 34 agricultural assistants who were retrenched have all been provided with two rectangles each, and spread over the province so that other agriculturists might benefit from their agricultural experience and knowledge.

Qureshi Sahib also referred to the question of bribery. It appears that honourable members do not read the statement which is placed on the table of this House annually during the autumn session, or else they would have found that Government is not sitting idle and is taking every possible precaution to reduce bribery and corruption. But there are difficulties which are well known and which have been often mentioned in this House, and I do not wish to waste the time of the House by repeating them. These difficulties can be surmounted only by a joint effort on the part of the Government and the people, and unless public spirited citizens come forward to help, success in this matter must necessarily be restricted.

I next come to the speech of the honourable the leader of the Unionist Party. He said that 58 per cent. of the holdings in this province were uneconomic. I am not aware on what criterion his assumption is based. To me the term economic holding appears to be a relative term. A holding say of 50 acres may conceivably be uneconomic in one case while a holding of even 10 acres may be sufficient to keep a person in comfort in another case. Whether the holding is economic or otherwise would largely depend on the standard of living of the person who owns that holding, and you cannot arbitrarily fix a figure at which every holding can be justifiably termed as uneconomic. He also wants to level down the standard of living while I agree with him that in the case of a limited few there may be room for reducing their standard, I trust that he will, after hearing Dr. Shave, concede that there is an imperative need of raising it in the case of a very large section of the population. It is our duty to lift them out of squalor and discomfort. He also referred to the conditions in the South-Eastern Punjab. I am sure he will concede that Government has always been sympathetic towards these districts. He himself referred to the 32 lakhs which Government spent during the last two or three years in giving relief to that part of the province. I can assure him that we are watching the situation very carefully. The Financial Commissioner, Revenue, toured in that part of the province only recently to see things for himself, and is keeping in close touch with the local officers. We have opened test works and if need be we will increase the number of these works, and if any further relief is required we will not hesitate to provide it.

As regards the Bhakra Dam I do not propose to go into the merits or demerits of the scheme at this stage. I understand several members have given notice of a resolution on the subject, and have also proposed to move nominal cuts to raise a discussion. I hope to be able to explain the position when the matter comes up for discussion. Government has not decided to abandon the project, but I do not consider it fair to the House or the province to proceed further without taking the House into confidence re-

garding the difficulties with which we are faced ; and I propose to explain, in due course, the financial and other aspects of the scheme.

In referring to the appointment of Hindu agriculturists to the services he made a somewhat general assertion that they were meted out step-motherly treatment throughout by all departments. I have not the figures for other departments, but so far as my own departments are concerned I can assure him that the position is quite the reverse of that depicted by him. I have been able to get information concerning only one of the departments owing to shortage of time but the policy which governs this department is applied also in other departments in my portfolio. I will now read out to him the figures relating to recruitment of tahsildars, and after hearing me, I am sure, he will be satisfied that the number of agriculturists, Hindus as well as others, recruited since 1929, is by no means small, on the contrary it is generously large. In 1929, 5 Muslims, 2 Hindus, 2 Sikhs and one Indian Christian were accepted as candidates for tahsildarship, all of them are agriculturists excepting the Indian Christian. In 1930, 6 Muslims, 3 Hindus and one Sikh were enrolled. Out of the three Hindus 2 are agriculturists. There has been no fresh recruitment in 1931 and 1932 owing to financial stringency. I think these figures are sufficiently liberal to satisfy even the honourable member from Rohtak.

Rao Bahadur Chaudhri Chhotu Ram : What about zilladars ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Among zilladars also I believe the number of agriculturists is not unsatisfactory.

The honourable member for Lyallpur referred to the question of re-settlement of the Lyallpur district. For his information I might tell him that we are getting a forecast report prepared and when it is received Government will give careful consideration. I may also warn the member that if re-assessment is undertaken it is possible that the reduction in incidence of land revenue which he and others may be expecting may not materialise. He is no doubt aware that assessment is based on various factors and averages, and since the price of wheat has gone up since the last year, it is possible that by the time re-assessment takes place the averages might not be in their favour, or may be even slightly against them. Nevertheless I can assure him that the matter is receiving attention. As regards shortage of water supply in the canals honourable members are aware that it is due to the shortage of supply in the rivers. The shortage in Chenab and Jhelum this year has been unprecedented and it is due to this that there has been some difficulty regarding arrangement of closures particularly on the Lower Chenab Canal.

Mian Nurullah : Let us hope *kharaba* will also be unprecedented.

The Honourable Captain Sardar Sir Sikander Hyat Khan : In Lower Chenab Canal there are instances where *kharaba* given was as high as 20 per cent., a figure which, I think, was unheard of before in the assessment of *kharaba*.

Before I conclude I should like to say one or two words regarding the criticism levelled at the Government and the Finance Department in the matter of estimating receipts. It is for the Honourable Finance Member to deal with this point, and as a matter of fact the Finance Secretary has

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already met satisfactorily the arguments, put forward by the non-official members, and I do not, therefore, propose to dwell on the technical aspect of this question. What struck me particularly during the course of this discussion is that the honourable member seems to take the view that this depression is going to continue for ever. While nobody can say what is going to happen to-morrow and it would be rash to make a prophecy yet I think it is as well to recognise that there are signs, very feeble but still perceptible, which indicate that the situation might improve much earlier than some pessimists think. Personally I am very hopeful of an early revival which will end our difficulties and make it unnecessary for the honourable members to think of retrenchment and remissions and reductions of which they must be tired by now; and will enable them to apply their minds to more constructive, more fruitful, and more profitable schemes. (cheers).

Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural): Sir,

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first of all I must take this opportunity of thanking the Finance Department, both the head of it as well as its Secretary for the laborious efforts they have taken in preparing the budget this year. Our special thanks are due to the Honourable the Finance Member for saving our province, which is still in the firm grip of financial stringency, from running amock on the shores of bankruptcy and steering our boat with the accuracy and skill of the true mariner. We are informed that our income will be 10,54 lakhs, that is, 45 lakhs more than the last year. Now I must say that a major portion of this income is to be due to the realization of land revenue and water rates. If this is the state of affairs, the House must not forget that we the zamindars are totally drenched up. We have been able to pay dues, we have been able to live simply on account of the reason that we had a little saving, that we had some ornaments left and that we had some cattle to sell, and so on. I have seen with my own eyes milch-cows of zamindars being auctioned for Rs. 10 by lambardars towards the realization of arrears of land revenue. Now it is clear, therefore, that we have been able to pull on up till now by effecting measures of retrenchment and by curtailing our expenses. So, I propose in the little time left at my disposal, to suggest something by which we can effect some savings and we may be able to collect money. Ours is a top heavy administration. Our ministers are getting more, I think, than the Prime Minister in London, and other ministers in European countries. The first proper thing would have been to make a cut in their salaries. Our executive officers too are very highly paid. The grades of extra assistant commissioners, I should say, should be revised and fixed at Rs. 150 to Rs. 600 with efficiency bar there and should go up to Rs. 800. Our deputy commissioners and district and sessions judges should have Rs. 1,000 as their highest pay. These are some of the recommendations of the Retrenchment Committee which have not been given effect to. I should also make some remarks about one or two departments, which I can make within the time left at my disposal. I think the most expensive and the least useful of all the beneficent departments is the agriculture department. It escapes our discussion somehow or other. The Government manages to arrange the budget demands in

such a way that whether we begin from demand No. 1 to 42 or *vice versa* these departments always escape our discussion, and guillotine is applied before we can come to discuss them or the five minutes limit comes to its rescue as is the case to-day. I want to refer to the doings of the district agricultural farms. There are agricultural farms in nearly every district. In my own district there has been a farm for about 12 years. I can assure you that agricultural industry of my district has not improved even to the slightest degree. What is the Rice Farm at Kala Shahkaku doing except sowing rice in beautiful rectangles? Whatever is sown in each rectangle is marked by a ticket fixed to a post at the head of each rectangle and that is all. What is the use of that farm? People do not learn from them as they have nothing to teach.

Another department under this head is the Co-operative Department. These societies are the worst type of shyllocks and always insist on having their pound of flesh. One little society will put you in jail before 20 *bantias* combined together can. Because poor *bantias* have to undergo costly procedure of litigation; while these societies put you in jail at once by issuing an award. It is becoming a great question for the jail department to see how they can accommodate these prisoners. These societies will not leave you, till they rob you of your land. So far as offices are concerned there are many redundant posts in this department. There are about 724 sub-inspectors, 135 inspectors, 20 assistant registrars, 3 deputy registrars and 1 registrar. So far as the calculation goes for 150 societies, 3 sub-inspectors are sufficient. Deputy registrars are nothing but post offices. They should be abolished as soon as possible. The true way of effecting retrenchment is to remove such highly paid officers and not to remove the chaprasis and peons and chawkidars.

One word about the police department. It is true that the police have been defending us through all critical times. It is true that they have been coping with the non-co-operation and civil disobedience movements with bravery and courage. I admit that, but this does not mean that it is sacrilegious to touch this department. This is as much a department under the control of the Honourable Finance Member as any other department. The Police Act or the police rules are not revealed books not to be tampered with by human hand. The only suggestion is that one of the two classes of posts of deputy superintendents or inspectors is redundant. Either have deputy superintendents or inspectors. We have 50 deputy superintendents and 28 assistant superintendents, where is the use of keeping 137 inspectors. Those who are efficient from among them should be promoted to the grade of deputy superintendents and those who are not of that standard should go down to the rank of sub-inspectors; by this way we will be able to accept the suggestions of the Retrenchment Committee that the cost in this department should be reduced by 15 per cent.

A few remarks about the education department too. Of course it is our duty to educate and teach our masses. It is the crying need of the hour, no doubt. But in this department also there are some posts which are redundant and which can be easily retrenched. First the personal assistant to the district inspector. We cannot afford to have that luxury at this juncture. This work can be done by an ordinary clerk. The number of assistant district inspectors is more than even the number of tahsils in

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a district. In my own district there are 8 tahsils and 4 assistant district inspectors. One man can cope with the work of one tahsil, I do not think there is any use of having this post, otherwise. Then another remarkable thing is that we are still keeping an inspector of training institutes, in spite of the fact that we are closing our normal schools. Is he going now to inspect the buildings of these normal schools? That can be easily done by a Public Works Department overseer. Then there is an inspector for vernacular training. I do not think there is any use of keeping such an inspector. This work can be easily divided among divisional inspectors and we can save money out of it in this way.

There are more than one deputy inspectors in some divisions. There are 2 in the Jullundur division. There are 2 in the Lahore division. My submission is that where we have district inspectors and inspectors, we should abolish them altogether. Why think of having more than one when we cannot afford to have even one deputy inspector. How can we afford to have more than one in these 2 divisions, Lahore and Jullundur? I would have to go on for a considerable time, but the time is up and I must sit down.

The Honourable Malik Sir Firoz Khan Noon : Sir, judging from the length of 5 minutes of the honourable member who has just sat down, my 5 minutes will mean 15 minutes. I shall be as short as possible. I wish only to say one or two things. In accordance with the wishes of this House as expressed through the Retrenchment Committee, the Education Department has surrendered no less than nearly 25 lakhs of rupees out of the budget allotment of nearly 175 lakhs. But in spite of this great financial sacrifice, I am glad to say that the department has not allowed a single private aided school or a single Government school or college to close. We have not cut the main grant of any of the colleges in Lahore and we have not allowed the efficiency of the department to decrease in any way whatsoever. The department has given the province two degree colleges, one in Ludhiana and one in Shahpur without any extra addition to the education department budget. We have also given two intermediate colleges for women, one Queen Mary College at Lahore and one at Amritsar without any extra addition to our budget allotment. We will also try to extend female education as far as possible. But I wish the House to remember that our finances are limited and we cannot meet the expectations so far as the extension of education is concerned.

With regard to the recruitment of zamindar Hindus, or Sikhs or Muslims or other classes who are not properly represented in the Education Department, all that I can say is that during the last 2 years there has been no direct recruitment either in the provincial or subordinate education service. Therefore, however, much this department may wish to help in the direction indicated it has not been possible to do so because there has been no scope for fresh recruitment.

With regard to the question of inspecting staff, the honourable member who just sat down said that we have got too much of the inspecting staff. My own feeling is that we have not enough of the inspecting staff. I will only give you one instance. Only a few weeks ago the Assistant Director of Public Instruction paid a surprise visit to a certain school. As he was

passing along the road with the district inspector of schools he saw a few boys sitting leisurely with scraps of papers in their hands. It was found that it was a school and the school master was smoking *hukka* with his friends in the village. There were a large number of boys on the roll and actually there were only a few present. Unless you have a very vigilant staff, I am afraid, all the money that you give by way of grants through the district boards, will be wasted. The honourable member asked: What is the use of the inspector of training institutions as there are no such institutions? That is not the only work he does. He is in charge of the anglo-vernacular education in the province. The inspector of vernacular education deals with all the vernacular education and grants-in-aid to all the schools of district boards and local bodies of the province. All these duties are performed by these officers, and I hope the House will realize that these officers are necessary.

(At this stage Mr. President left the chair and it was occupied by the Deputy President).

There is only one point that I wish to say something about and it is a matter which was raised by you yourself, Sir. You referred to the question of *jhatka*. This is a very ticklish question. Some students object to *jhatka* being allowed and others object to beef being eaten in schools, some object to *Azan* being said by Muslims. These religious matters are full of difficulties and troubles. It is very difficult for Government to please one class and displease the others. We have adopted this policy that so far as the Government is concerned they will try and uphold the past practice and will not allow any innovation, unless the time is suitable when the people are so liberal as to allow other people to eat and drink as they like. I hope we shall not have to wait long for this.

With regard to compulsory education, the committee has made its report and it is likely to cost about 50 lakhs of rupees extra to the province. As soon as the Council can provide us with that money we shall certainly get on with the scheme. But in these days of financial stringency, I do not see much prospect of our being able to spare that money for the present. With these few remarks I resume my seat.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (*Urdu*): Sir, I also join the chorus of appreciation of the services of the department which has prepared and placed this budget before us, but I must point out that the estimates are not going to turn out to be true and that there is no possibility of its hopes being realized. The reason why I say so is obvious. This year there is an abnormal scarcity of fodder besides other difficulties from which the zamindars are suffering. That the price of wheat has gone up recently is no consolation to the zamindars. They do not stand to gain by this rise at this time of the year. They are rather losers because this is the time when they have to purchase wheat for sowing their crops and to meet their daily requirements. I need not remind the House that at the time when the zamindars had stocks of wheat with them and when they had to dispose of those stocks, the price of wheat was very low. Similar is the case so far as cotton and other *kharif* crops are concerned. To add to the sufferings of the zamindars sufficient water is not supplied to them in time to enable them to sow *rabi* crops on an extensive scale and owing to the unusually cold season this year the *rabi* crops also are not likely to yield

[Pir Akbar Ali.]

as much produce as it was expected. All these factors have combined to make the condition of the zamindars much worse than it was during the previous two or three years and under the circumstances it is not very difficult to judge that the zamindars in general will not be able to meet their obligations as easily as perhaps the Revenue Department thinks. So far as the zamindars of the *barani* tracts are concerned it will be well nigh impossible for the zamindars there to pay land revenue and *abiana* and I do not think it necessary to explain why it is so. The House and the Government will be aware that on account of the scarcity of rains this year these zamindars have not been able to produce even as much as would suffice for their own personal needs. There is yet another factor which should be taken into consideration while taking stock of the situation. On account of the excessive rise in the prices of agricultural produce during and after the Great War the lands were worked on a very extensive and intensive scale to make them yield as much as possible and consequently the lands have become less fertile and now the produce from them has very much gone down. If the Government were to appoint a committee to enquire into this matter it will certainly come to the same conclusion. I should think that all these factors have not been taken into consideration while preparing these estimates and this is why I say that these estimates are not going to turn out to be true. I have just been handed over a letter which is by zamindars of an *ilaga* and is to the effect that they are absolutely unable to pay the Government dues.

I have one complaint to make with regard to my own district of Ferozepore. Without entering into ceremonies I might at once say that the canals of the Sutlej Valley Project have, instead of doing any good to the district, done a good deal of harm to the lands and their owners in that district. Much of the water of these canals which was not even sufficient for the requirements of my district has been and is given to the Bikaner State and even this State does not derive much benefit thereby. Then at the head of this project the lands have begun to suffer from water-logging and at the tail the zamindars are complaining of insufficiency of water supply. The result is that all the zamindars whether at the head or at the tail are dissatisfied with the working of this project. The House will perhaps be surprised to learn that the Mamdot Estate which yielded an income of ten lakhs annually has this year been assessed to yield only 1·75 lakhs of rupees and it is said, not more than one lakh is actually going to be realized this year. This will give you an idea of how far this project has helped the zamindars in raising their income. May I hope that suitable action will be taken to set the matter right?

Before I close my remarks I may draw the attention of the Government to the fact that *benami* transactions in the province are on the increase rather than on the decrease. If this state of affairs is allowed to continue for any length of time I am afraid that the zamindars of the province will be altogether ruined. I take this opportunity to draw the attention of the Government this year again that it should make further efforts to remove the defects pointed out last year in the working of the copying branches under the Government. I should also like to say that sufficient attention has not been paid in eradicating corruption particularly in the lower ranks.

I understand that on an average Rs. 300 are daily taken by the staff of the district courts as bribe from those who come to seek justice in these courts. I have one more thing to say and that is that agriculturists are not being given their due share in the services for example in the posts of public prosecutors. I would have been satisfied even if some of these posts had gone to my Sikh and Hindu agriculturist friends. But perhaps I should not make this complaint because, what else could we have expected through our friendship with *mahajans* and *baniyas*.

Shaikh Muhammad Sadiq (Amritsar City, Muhammadan, Urban): Sir, I do not propose to weary the House by a long speech at this stage, but I should like in the first instance to congratulate the Finance Secretary on his having been able to prepare single handed the budget, the work of two. I know that his temperament is cool and calm and that he has really done hard work by doing this tedious business single handed and we must thank him for it.

Coming to the budget itself, we find that the Government is showing a surplus of Rs. 34 lakhs. The Finance Member pointed out that a single dust storm may cost Government 45 lakhs. Probably he had in view several dust storms to which we will be subjected in the Punjab; I say this in more than one sense. I know the condition of the zamindars and they really require great concessions; and if these concessions are given to them, this surplus will change into a deficit. You cannot expect the zamindar to go on paying and paying and paying not out of the proceeds of his land but by mortgaging or selling it or by selling his ornaments. For the past two years the Punjab Government has not been living on the earnings out of his land, but really by the sale of the ornaments of his wife and children. For the past two years he has been selling or mortgaging his land for even subsistence. This practice cannot go on for ever. The time has come for Government to realize that people have no money to give to Government. How can you expect a person with a big family to live on less than Rs. 65 or Rs. 6 a month? An average zamindar cultivates about 15 bighas of land. How can you expect him to pay Government water rates and land revenue at such exorbitant rates and also be able to maintain his family? If this is the condition of the villager, the condition of the man in the city is no better. His economic condition is going from bad to worse. It is time that Government did something to remedy this situation. One direction in which the Government can move is the encouragement of industries. It is not necessary that Government should spend much money on industries. It would be enough if it protects home industries. I am very glad that the Government of India has tried to protect India from Japanese competition, but still something greater can be done. We cannot raise the world prices, but we can try to start industries and prevent our money going abroad. Ordinances and laws cannot make people buy from Manchester or Birmingham. If you are not going to improve the general economic condition of the people here, they will not be able to buy from England and consequently Manchester and Birmingham will become deserted places lacking in population owing to their failure to trade with India. The Government can make it a point to purchase its requirements from local producers only. This will give a great impetus to indigenous industries.

[Shaikh Muhammad Sadiq.]

Another point I wish to bring to the notice of the Government is that the Government should not insist upon the zamindars paying their dues to Government all in one instalment and that at a particular time. This system puts them to the necessity of selling their produce at a very cheap price. The Government can make it a point to collect its revenue in small instalments so that the zamindars can keep their stock unsold till the prices go up. After all the Government too will not suffer by adopting my suggestion, because the revenue they raise now lies idle in the banks and this money can afford to remain with the zamindars for some time. I hope that Government will adopt this suggestion and go a long way in rendering help to the poor peasants.

The Honourable Sir Henry Craik (Finance Member): Sir, I should like to begin by thanking nearly all the speakers who have referred in kind terms to the work of the Finance Department. I hope I may take it that those are not merely conventional expressions and that there is a genuine feeling in the House that the public finances have been managed with prudence and also a feeling, I hope, of general satisfaction that we have attained what my honourable friend the member for Rohtak described as a state of budget equilibrium. Although I do not claim that that is a matter for rejoicing, at the same time I do think honourable members should recognise that there are very few provinces in India which have managed to attain that stage. Indeed, in these depressing days there are very few countries in the whole world which have been able to balance their revenue and their expenditure.

There has been an undercurrent running through many of the speeches delivered during this debate that the budget has been framed with a lack of consideration for the zamindars of the province. I do not think that charge will really bear examination. I would like honourable members to reflect on the meaning of the figures which I quoted when I presented the budget. Since the *kharif* of 1930 Government has remitted taxation in the form of special remissions of 245 lakhs. Those are special remissions and quite apart from the amounts remitted under the working of the ordinary *kharaba* rules and rules for the suspension and remission of land revenue. Thus by means of remissions of an exceptional character we have given away 2,45 lakhs or just 2½ crores in four harvests. In addition to that, 25 lakhs of *taccavi* debts were wiped out altogether and the concessions given to tenants and purchasers of land in the colonies are calculated to have cost Government another 2,00 lakhs. In all that comes to the enormous sum of Rs. 4 crores and 60 lakhs. Now, to charge a Government which in the space of two years has remitted that amount of taxation and at the same time has managed to reduce its expenditure by another 2½ crores, as I shall show shortly, to accuse such a Government of a lack of sympathy with the people committed to its charge is, I maintain, a charge that does not on examination hold water.

(At this stage Mr. President resumed the chair.)

Another thing that has been said is that our estimate for land revenue and *abiana* for next year is also framed with a lack of sympathy, that we are going to exact the full demand. That is far from being the case. A generous allowance has been made in our estimates off, that is below, the full

theoretical demand. It must be remembered that the area irrigated is growing larger year by year and our full theoretical demands is also growing in proportion, but we have budgeted for receipts at least some 70 or 80 lakhs below what we might expect if we were to take the full theoretical demand. I do not deny that if there is a special calamity our estimates may be thrown out, but we cannot budget in the expectation of special calamities any more than we can budget in the expectation of a bumper year.

Some criticism has been made this afternoon by one or two speakers and notably by the leader of the Unionist Party complaining that our budgetting on both the revenue and expenditure sides has been in recent years very inaccurate and he took particularly the last two years—1931-32 and 1932-33. In 1931-32 we budgeted for receipts of 11,18 lakhs. We actually according to the accounts of that year only received 9,61 the gap between the figures being 1,57 lakhs, but that was almost exactly the amount of land revenue and *abiana* which was remitted as a special remission that year. It is impossible, as I have said, for the framers of the budget, as a rule quite twelve months before the contingency occurs, to predict that there will have to be remissions of revenue on that enormous scale. In fact so far from being open to the accusation of inaccurate budgeting, that particular year's budget of receipts was really almost a model of accuracy. We got exactly what we expected except for those special remissions.

In 1932-33, that is the year that is just drawing to a close, we budgeted for 10,38 lakhs. We actually hope to receive 10,09 lakhs, the difference being 29 lakhs. The percentage of error is considerably under 3 per cent. which is not of itself very high, but here again the difference is almost entirely accounted for by special remissions given in the last *rabi* harvest. On our expenditure side, I think even my honourable friend will admit that an error of 2½ lakhs in the sum of Rs. 9,82 lakhs is almost a record for accurate budgeting. I hope I have said enough to show that this is not a charge that can really be maintained.

I propose, if I may, to spend a few minutes in replying to various points raised by the speakers this afternoon and on Tuesday. To deal first with the speech of the leader of the Unionist Party. I cannot undertake to go into detail regarding the various criticisms he has made of the method of recruitment to the services, but I suggest to the honourable member that if there is any service in regard to which he feels particular dissatisfaction he should put down a motion for a token cut on the detailed head relating to that service. He could hardly expect me, for instance, to have at my fingers' ends material for answering his complaints about the paucity of Hindu zamindars in the Jail Department, but if he puts down a cut, I will do my best to satisfy him. He admits himself that one case which he was going to mention in the House to-day he discussed with me this morning and that I had a satisfactory reply. I daresay there are many other cases in which, if a similar investigation is made, the facts will be found not to be so black as they look at the outset. But the honourable member's general position on the question of the services and on the question of the cost of the administration was this. He said, "Reduce the number of British officers serving in your services to a minimum. Pay them well and pay the Indians what they are worth." That is practically, I understand, the honourable member's position. That is a position with which I have very great

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sympathy. The whole question is what is the minimum to which you can reduce the British element. It is not for me to say, but I would like to point out to the House that the British element in the Punjab has within the last twenty years been reduced in numbers to a very large extent, perhaps larger than some honourable members realize. In the Indian Civil Service the number of British officers serving twenty years ago, that is in January 1913, and in January 1933 are as follows : in 1913 there were 127 British officers serving in the Punjab—I am not counting those who nominally belonged to the Punjab Commission but who were actually serving under other governments or the Political Department—the number of officers actually serving in the province was 127. At the present moment there are 79, that is a decline of 38 per cent. Now in the police which is of course a smaller department there were 70 British officers in January 1913, now there are 50, that is a decline of 28 per cent. In the Irrigation Department which has the largest cadre of any in the superior ranks there were in 1913, 133 British officers ; there are now 84, that is a decline of 37 per cent.

These are rather striking figures, and I would like the House to consider if it is to adopt the formula of the honourable leader of the Unionist Party and reduce the British officer to a minimum, how much further we are going to go. I must say that judging by the number of requests that are made to me by friends from all over the province and very frequently by members of this House on behalf of their constituencies for the services of a British officer for a particular post, for a particular district, to hold a particular trial or make a particular inquiry or something of that sort, judging from the number of requests of that kind which are made to me and which I am sorry to say we frequently cannot comply with because there is no British officer available, we have already reached the minimum. This is a subject about which there is a good deal of loose thinking and loose writing, specially in the press. I am not at all sure that if one could take a plebiscite of the Punjab and specially of the villages in the Punjab, whether they would honestly say they want to see fewer British officers than they have got at present. I am not at all sure that their answer would not be just the contrary.

The honourable member for Rohtak also spoke of the unfortunate way in which western standards of luxury are being adopted in India, and he mentioned champagne, Havana cigars and luxuries of that sort. Let me assure the honourable member that among the British living in India the days of those luxuries have long since past. (*Rao Bahadur Chaudhri Chhotu Ram nodded dissent.*) I assure the honourable member that that is so and that the ordinary British officer is a man of very small means who throughout his service has a great struggle to balance his income and expenditure—a struggle in which he tries about as hard and is about as successful as the Punjab Government—and the idea that the 10 per cent. cut in pay is working in a way that has caused no hardship among the superior services is entirely illusory. I have had brought to my own notice cases of really pitiable hardship. I have known men who have had to take children away from school, I have known men who have been unable to send their wives to England or even to the hills when they ought to have gone, who have had to give up insurance policies and let them lapse when they have paid many

years premium. There are British officers in regiments that I know whose wives have to do all the cooking. They are not able to keep more than one servant, they are not able to keep a motor car or a horse, they are unable to join a club and their condition is one of real hardship. They are entirely cut off from society, because they are too poor to afford it. They are entirely cut off from such little luxuries as a cigar, a short drink and so on, and I hope that the honourable member will not go away with the idea that because he sees a certain number of people, possibly with private means of their own entirely independent of their official salaries, living in a certain amount of comfort, that the general tone among the service officials in India is anything like what he has described it. It may interest the honourable member to know that the coat which I am wearing to-day and which I reserve for best occasions is 24 years old.

Now as regards the Indian officers, the honourable member has suggested that they might be paid a great deal less than what they are paid now and that the scales of pay given to them are so high as to tempt them to imitate the alleged luxurious habits of their British colleagues. I am not talking of the higher paid officers but of the rank and file of the services men drawing say up to Rs. 700 or 800 a month. They would include the great bulk of the provincial service. Their pay was fixed, I think, not with an eye on considerations such as the honourable member has in mind but more with a view to giving the official so much as will enable him to live in a style befitting the dignity of his position, and more important still, which will preserve him from the risk of temptation. If you can fix the scale of pay with an eye on those two objects, you will not go far wrong. By all means discourage luxury and extravagance. But an officer ought not to be continually preoccupied with the cares of supporting his family and constantly exposed to the pinch of poverty and he ought to be removed from the risk of financial corruption.

The honourable member, the leader of the Unionist Party, if I followed him right, suggested that the ideal state which the Finance Member of the Punjab should aim was to reduce land revenue and *abiana* by half. That would mean that we should cut down the receipt side of our budget by some 4,30 lakhs. He said we can find the money by reducing our establishment and by reducing the rates of pay. If you cut down the establishment of all departments by half right through from the highest to the lowest, down to the lowest paid of all, if you made a clean sweep of 50 per cent. of every department you would only save 2,18 lakhs. If you reduce the pay of the remaining half by 50 per cent. and if your total establishment bill were only one-fourth of what it is now, you would still only save 3,27 lakhs. You would still require over a crore of rupees to meet the proposed sacrifice of land revenue and *abiana*. There would still be over a crore on the wrong side of the account.

This talk of establishment brings me to the question of the cut in pay to which one or two speakers in the debate to-day and many speakers on Tuesday have referred. But I think their contentions were completely exposed by the statistics supplied by Mr. Puckle. I am afraid, however, that even now there was one speaker this afternoon—I think it was the honourable member from Lyallpur—who has failed to appreciate the position which I tried to make clear in my speech in presenting the budget.

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The honourable member said that we ought not to—that is to say the Punjab Government ought not to—follow the example of the Government of India and ought not to have restored the cut in salaries. Now what that really means is that we ought to have kept the 10 per cent. cut in force for the provincial and subordinate services, when the all-India services are only to be subject to 5 per cent. cut. That was one of the alternatives which I put in my speech presenting the budget and which I dismissed at once as unthinkable and unfair and I still think it is unthinkable and unfair. I do not suppose it was what the honourable member from Lyallpur had in mind. But what he seemed not to appreciate is that we have no power whatever to push either upwards or downwards the cut on the all-India services which was imposed by the higher authorities and for which the Punjab Government accepts no responsibility.

The honourable member from Sheikhpura, Chaudhri Ria at Ali made a suggestion that we should try and work up to the retrenchment in the Police Department recommended by the Retrenchment Committee by reducing or abolishing the grade of inspectors. I would like to point out to him that the Retrenchment Committee made no such recommendation. In fact, if he looks at paragraph 90 of the Committee's report he will find that they state as follows—

About the value of the rank of inspector many of us are doubtful, at any rate as far as the district police force is concerned. But at the same time we realize that the abolition of the rank would probably involve a corresponding increase in the number of deputy superintendents of police. This would be no economy though we are inclined to consider it desirable.

The honourable member will see that it is wrong to think that the Retrenchment Committee made a recommendation in that direction.

Two speakers this afternoon have again touched on the subject of the desirability of establishing a reserve fund. There was what was called a "revenue reserve fund" up till, I think, the year 1930, when it was abolished under the orders of the Secretary of State. Mr. Puckle spoke on this subject in the general discussion of the budget two years ago and he pointed out that there were considerable difficulties from the accounts point of view in maintaining such a fund. The fund was intended to provide resources on which we could draw when our revenues unexpectedly fell below our expectations. Now, in the first place, there is the anomaly that it is rather absurd in a deficit year to be under an obligation to pay into the revenue reserve fund a fixed sum, say 10 lakhs, thus making the deficit even bigger than it was, and then in the same year to take back 10 lakhs from that fund to help in balancing our revenue account. That is a transaction which amounts to taking a rupee out of one pocket and putting it into another and then within five minutes putting it back into the first pocket. On account of this reason and because of technical accounting difficulties which I need not go into, the Secretary of State decided that that fund should be discontinued. We can of course achieve the same result if whenever we have a good revenue balance we devote a part of it to the redemption of debt, which is the exact process which I am proposing to adopt this year and next year and which I am glad has received the endorsement of several speakers this afternoon. That comes to very much the same thing as keeping a reserve fund because it amounts actually to a saving in interest charges.

Another way would be when we have a balance on the right side, to try and build up a permanent balance in the revenue account. But that, I fear, would be a very difficult process because I am afraid this Council will always be putting pressure on us to remit taxation when we find ourselves in that position.

One honourable member, I think my honourable friend for rural Lahore, suggested the advisability of raising a loan to pay off what he described as our long term loans to the Government of India. The honourable member seems to think that our long term loans are at a fixed rate of interest and that we are now paying 6 or 6½ per cent. when we could possibly raise the money in the open market at a considerably lower rate. That is not actually the case. The interest on these loans fluctuates from year to year according to the rates at which the Government of India itself is able to borrow. There would in fact be no saving in interest charges by the course suggested and it is doubtful whether the Government of India would allow us to repay these long term loans because it is rather difficult to see, in the existing circumstances, what they would themselves do with the money. The only long term loans in the Punjab which carry a fixed rate of interest are the Punjab bonds which we raised in the open market some ten years ago and which are due to mature in October next. Those bonds are 1,80 lakhs in all and they carry a high rate of interest, 6½ per cent. There is another smaller loan which matures in 1937 which carries interest at 5½ per cent. That is a loan of 85 lakhs. The bonds which reach maturity in October next must of course be redeemed and we are considering now how that operation is to be carried out. But I certainly hope that we shall be able to raise the

necessary funds at a much lower rate of interest and that there will be a considerable saving on interest charges. At present the 1933 bonds stand at a premium of 2 per cent. The later issue stands at a premium of 6 per cent.

If I may have a few minutes more, I would like to say just one word more about retrenchment to make the position clear. I told the House the other day that a consolidated statement showing in detail the steps taken by the Government on the recommendations of the Retrenchment Committee would be in the hands of honourable members. That statement was published to-day with a resolution by the Government and I trust it has now reached honourable members. It shows in a much greater detail than a speaker in this House can show every single recommendation and the action taken. In speaking the other day I put the total sum of our retrenchment on the revenue account at 1,60 lakhs. I did not perhaps make it sufficiently clear that that is by no means the whole sum of our economies. The resolution that is published to-day points out that the average expenditure in the three years before the depression began was 12,10 lakhs, that is to say, that is the average of annual expenditure in 8 years. The corresponding expenditure for the next financial year as shown in the budget is 9,56 lakhs, after making allowance for increments which are unavoidable. This shows a total saving of 2,54 lakhs or over 2½ crores. That, I think, is the true measure of the economies which Government has made both those undertaken before the Retrenchment Committee reported and those undertaken afterwards. One or two speakers deplored that we have not acted fully up to the recommendations of the Retrenchment Committee. But I would

[The Hon. Sir Henry Craik.]

like to think that in some of the more important departments we have actually made greater economies than were suggested by that Committee. For example, under the head 'land revenue,' the actual savings effected were 4½ lakhs as compared with Rs. 2,60,000 which they recommended. In the Forest Department the savings were Rs. 8,87,000 as compared with 3½ lakhs they recommended. In Excise over a lakh more was saved than that suggested by the committee. In the Civil Secretariat the reduction made comes to 12 per cent. as against 10 per cent. recommended by the committee. Under 'Administration of Justice' the total saving is Rs. 2,29,000 as against Rs. 1,40,000 proposed by the committee. In the Jails Department there is a saving of Rs. 12,000 more than was proposed and under the Medical and Public Health Department there is an actual saving of 2 lakhs more than the figure recommended by the committee which in itself is a big sum of 19½ lakhs. Under Veterinary, the savings actually effected is Rs. 2,13,000 while those recommended were Rs. 1,81,000. Besides those savings, a number of recommendations of the committee deal with matters which are not within the power of the local Government, such as for example, certain allowances paid under the orders of the Secretary of State. There were a number of recommendations the exact financial effect of which cannot be estimated. Similarly the exact financial effect of some of the decisions taken by the Government cannot be estimated. There is yet another class of recommendations made by the committee in regard to which the initiative must obviously come from the Council itself and in regard to which Government has refused to take initiative. One was that the post of the Deputy President should be honorary in future and another was that the salaries of the Ministers should be reduced. It is obvious that in both cases the first step should be taken by the Council and not by the Government.

Now, Sir, it is my duty under standing orders to wind up this debate. I must express my regret that so much of it has been carried on amid empty benches and that on the whole the interest in the budget debate has been somewhat languid. I understand that a large section of this House is under a self-denying ordinance or something like that to abstain from the proceedings of this House except on subjects which concern their personal interests. I can only conclude that they do not want as their personal interest the financial affairs of the province. At any rate they have not shown much interest in the financial state of the province to-day or on Tuesday. That has been rather depressing. But still I think that many interesting speeches have been made and many useful suggestions have been put before us. The honourable the leader of the Unionist Party said in the course of his speech that while he admitted that we had attained a state of financial equilibrium, we should not rejoice at all. I agree that balancing the budget is in itself no evidence of prosperity. I certainly agree there. But really prosperity in the sense in which he used the word means, if you think it out, not that public finance should be in a sound state but that the individual composing the state should be prosperous. It is not within the power of the Government to ensure that. That depends on world-wide economic forces and on the will of Providence. No local Government, however efficient, can ensure the prosperity of the individual. What its duty is in these matters—and that duty I claim we have carried out—is

to act with the greatest vigilance as the guardian of the public purse, to arrange that taxation is not unduly onerous and to do our best to maintain our credit in the open market. That task I hope we have accomplished. At any rate we have this satisfaction that along with one and only one other province in India we are in this fortunate position of budget equilibrium. My conviction is—though probably the honourable member from Rohtak will take a more pessimistic view—my feeling is this. The Punjab is certainly not prosperous now and has been passing through a period of almost unexampled depression. But I think, and I hope honourable members will agree, that when things brighten up, should prospects improve, the Punjab is at any rate in a position at once to take advantage of the improvement. At any rate we still have our head well above water and I do think that a single really good year with an all round rise in prices by 25 or 30 per cent., a good monsoon, plenty of water in the rivers and so on, would see us out of the wood. There are very few provinces in India which would not take a great deal longer than a single year to recover, and at any rate to that extent the Punjab is fortunate.

DEMANDS FOR GRANTS—ORDER OF DISCUSSION.

Rao Bahadur Chaudhri Chhotu Ram : A large number of the members present have expressed a wish that the order in which the demands for grant are to be taken up in the House should be varied. They want to discuss certain important demands first, such as Land Revenue and Irrigation. If it is possible under the rules to accommodate the members, we should all be very much obliged.

The Honourable Captain Sardar Sir Sikander Hyat Khan : You are aware that this question was raised in this House before on more than one occasion. The present practice of beginning with demand No. 1 in one year and in reverse order in the next year is intended for the convenience of the members as much as for the convenience of this side of the House. It gives non-official members an opportunity of discussing every demand in the course of 2 years. If we were to take up the demands in the same order every year, the House will not have an opportunity of discussing the grants which come at the tail. I think that the Government should have the benefit of the views of non-official members on every branch of administration. I can assure the honourable members that I would have been the last person to object to their request but I have to look to the convenience of both sides of the House. The present practice has been followed for the convenience of non-official members as well as the official members. The old practice of starting with the demands from No. 1 each year was altered by a convention of this House. I am sure the non-official members will agree with me that the official members are also entitled to some consideration. You are aware that considerable time of the heads of the departments as well as of the other officers concerned is taken up to prepare for the budget discussion and it is only fair that the burden should be distributed equally between the various departments. If we were to begin with demand No. 1 every year we would seldom travel beyond Land Revenue and Irrigation and other departments will be deprived of the views of the non-official members. It is an important function of this House to review the work of every branch of the administration, and not merely to

[The Hon. Capt. Sardar Sir Sikander Hyat Khan.]
concentrate on any particular department however important it may be. In view of these considerations I hope the House will adhere to the existing convention.

Mr. President : I may point out that according to the present Parliamentary Practice estimates or demands for grants are discussed mainly with the object of criticising the policy and administration of the various departments of Government and not with the object of making financial reductions. All demands are sanctioned as a matter of course and, consequently, the Government cedes to the Opposition or any other section of the House the right of discussing demands in such order as may suit the convenience of members. In other words, amendments to reduce the demands or estimates are, in most cases, merely pegs on which to hang criticism of policy or the means of airing grievances. That is to say, the estimates provide in practice only convenient and useful opportunities for the debating of policy and administration rather than for the criticism of expenditure and review of financial details. Consequently the Government have no objection to arrange demands on each of the allotted days in such order as may suit the convenience of members. What happens in practice is that the Opposition or any other section of the House, tell the whips that they desire to discuss some particular matter and the demand, on which that matter can be raised or discussed, is put down for discussion.

I hope I have made it clear that according to Parliamentary Practice it is the privilege of the Opposition to discuss the demands for grants in any order they please, and that the Government will not go against that practice. At the same time, I may, clearly point out, especially to the Opposition, that if they wish to discuss the demands in such order as they like, they can do so only if their primary object is to criticise the demands and not to make substantial reductions.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I am very glad that you have made the position clear with regard to Parliamentary Practice. But you will concede that in many respects we are debarred from following Parliamentary Practice by provision in the Government of India Acts and the rules and our standing orders. As you know there is a rule under which the Government has to set down the order of business. Moreover the convention that the demands should be taken up from No. 1 in one year and in reverse order the next year has now been firmly established for the last eight years.

Mr. President : Was this point ever raised and decided expressly ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Certainly.

The Honourable Sir Henry Craik : I have myself spoken on it.

The Honourable Captain Sardar Sir Sikander Hyat Khan : In any case it would not be right to alter an established convention for a new one at this stage.

Mr. President : In that connection I would rather respect the wishes of the elected members of the House.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I was going to point out that all the elected members are not present and it will be unfair to those who are not present to break a convention which has been in vogue for several years now and which was established by the whole House. At the same time, you will concede that Government is also entitled to some consideration. The honourable members on the opposite benches, can under the existing rules, not only criticise the work of the departments but can also reduce or wholly refuse the demands for grants.

Mr. President : But can they not decide to follow the Parliamentary Practice ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I venture to point out that it is beyond the powers of this House to give up a right which has been conferred by the Government of India Act.

Mr. President : The Parliamentary Practice has two aspects : (1) that the Opposition can discuss the demands in any order they please and (2) that as a rule they will not make substantial reduction. So, if the practice is to be followed, it must be followed in its entirety or not at all. The Opposition cannot have it both ways.

The Honourable Sir Henry Craik : I have received notices of substantive cuts from members who are not in this House and if you decide to follow the suggestion of the leader of the Unionist Party, then those members will have no opportunity to move them.

Mian Nurullah : Once on the floor of the House I suggested that these demands should be taken up in sections of ten. Supposing we start this year with demand No. 42. Next year we should start with No. 32. If we begin with 42 this year and with No. 1 next year, the middle one, say 21 or 22 will never be reached at all.

Mr. President : The question is whether the request of the leader of the Opposition should be accepted. I think I cannot ask the Government to accede to that request unless the Opposition is prepared to follow the Parliamentary Practice in its both aspects.

Rao Bahadur Chaudhri Chhotu Ram : I am not prepared to give any such undertaking.

The Council then adjourned till 2 p. m. on Monday, the 6th March 1933.

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PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Monday, 6th March 1933.

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. A. R. Astbury (Secretary, Electricity).

STARRED QUESTIONS AND ANSWERS.

DAROGHA-AB-GHAGGAR, IN AMBALA DISTRICT.

*2237. **Kanwar Mamraj Singh Chohan** : Will the Honourable Member for Revenue be pleased to state with reference to questions nos. 2215, 2216¹, starred :—

- (a) whether the Government has ever considered the advisability of appointing a qualified qanungo to the post of dargohab-Ghaggar; if so, with what results;
- (b) whether Government intends to retrench this post;
- (c) whether Government intends to amalgamate this post with that of naib-tahsildar, Kalka (sub-tahsil);
- (d) what Government intends to do in the matter?

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

- (d) Government do not intend to take any action in the matter.

LAND REVENUE.

*2238. **Khan Bahadur Sardar Habib Ullah** : Will the Honourable Member for Revenue please state—

- (a) the total amount of remission given to the zamindars in land revenue for the *kharij* 1930-31 and *rabi* 1931;
- (b) the total amount of land revenue suspended during the two crops mentioned above;
- (c) the total amount granted to zamindars as *taccavi* in the year 1930-31;
- (d) the total amount of loan granted by Government to the zamindars for the improvement of their lands?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Approximately Rs. 11½ lakhs were remitted in *kharif* 1930-31 and Rs. 88½ lakhs in *rabi* 1931 ;

(b) Approximately Rs. 7½ lakhs were suspended in *kharif* 1930-31 and Rs. 9 lakhs in *rabi* 1931 ;

(c) Rs. 12½ lakhs were granted under both the Acts (i.e., Land Improvement Loans Act XIX of 1883 and Agriculturists' Loans Act, XII of 1884) ;

(d) Approximately Rs. 7½ lakhs were granted under the Land Improvement Loans Act, XIX of 1883.

INTEREST ON AGRICULTURAL LOAN.

***2239. Khan Bahadur Sardar Habib Ullah :** Will the Honourable Member for Revenue please state—

(a) the rate of interest charged by Government on agricultural loan and *taccavi* ;

(b) whether he is aware that the rate of interest has gone down in the money market ;

(c) if so, whether Government intends to revise the rate of interest charged on agricultural loan ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) 6½ per cent. Reduced in October last from 7½ per cent. as a consequence of reduction in the rate charged by the Government of India for advances from the Provincial Loans Fund.

(b) Yes.

(c) The various kinds of agricultural loans which are granted by Government are financed from borrowed money and it has been the practice of Government to charge its debtors the amount of interest which it has to pay on its own borrowings plus about 1 per cent. which covers the cost of administration and ordinary bad debts. The honourable member may rest assured that Government will reduce the interest which it asks from those who borrow from it *pari passu* with any reduction in the amount which it has to pay for its own borrowings.

KHARABA.

***2240. Khan Bahadur Sardar Habib Ullah :** Will the Honourable Member for Revenue please state—

(a) the total amount claimed as *kharaba* during the year 1930-31 in the following districts :—

Lahore, Multan, Montgomery and Lyallpur ;

(b) the total amount of *kharaba* allowed by the Government in the same year to the districts mentioned above ?

The Honourable Captain Sardar Sir 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.

REMISSION OF KHARABA.

***2241. Khan Bahadur Sardar Habib Ullah :** Will the Honourable Member for Revenue please state—

- (a) if it is a fact that the canal authorities issue special instructions to the zilladar of canals not to allow *kharaba* liberally, and if any zilladar does recommend remission in *kharaba* according to the necessity of his circle he is reprimanded and given bad remarks on his work ;
- (b) if so, whether the Government proposes to issue instructions to the officers to discontinue this practice ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Government is not aware of any such instructions or practice.

(b) Government has already emphatically disassociated itself from any procedure such as the one mentioned in part (a) of the question and issued instructions that remissions should be given according to the rules in force. A copy of these instructions is laid on the table.

Copy of a letter No. 6875-Rev., dated 5th April 1932, from the Secretary to Government, Punjab, Public Works Department, Irrigation Branch, to all Superintending Engineers, Irrigation Branch, Punjab.

Remissions for Failed Crops.

In a recent debate in the Legislative Council, it was stated more than once that zilladars receive confidential or unofficial instructions that the remissions granted for failed crops are not to exceed a fixed percentage. The Governor in Council wishes it to be as widely known as possible that no such orders or instructions have ever been issued with authority and, moreover, that no officer has any authority to fix any percentage up to which remissions may be given.

2. It was further stated that zilladars were reprimanded if they accepted claims for remission over a certain percentage. Again, the Governor in Council emphatically disassociates himself from any such procedure and wishes superintending engineers to see that remissions are given according to the rules in force. It is not intended, however, to prohibit the institution of inquiries into the reasons which may have led to a high percentage of failed crops with the intention of finding out whether this is due to a lack of supply, bad distribution or any other reason.

3. Superintending engineer is requested to make these rules as widely known as possible to the officers and superior revenue staff in his circle.

Mian Nurullah : Will Government be prepared to take action if instances are brought to their notice ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : If the honourable member cites instances in the same way as he did in connection with the damage done by hailstorm in Lyallpur I am afraid Government will not be able to take any action.

Mian Nurullah : I brought no instances before the Government.

INTEREST CHARGED BY CO-OPERATIVE SOCIETIES ON LOANS TO
AGRICULTURISTS.

***2242. Khan Bahadur Sardar Habib Ullah :** Will the Honourable Minister for Agriculture please state—

- (a) the rate of interest charged by the co-operative societies on the loans to agriculturists ;
- (b) whether he is aware that the rate of interest has decreased in the money market ;
- (c) if so, whether it is intended to revise the rates and lower them accordingly ?

The Honourable Sardar Sir Jogendra Singh : (a) From nil to 12½ per cent.

(b) Yes.

(c) The Local Government has no power to fix interest charged by primary societies. It is the policy of these societies to charge such interest as will enable them to build up a reserve fund to protect the members from calls on their unlimited liability. When a sufficient reserve is accumulated, societies usually reduce the rate of interest.

MANDI HYDRO-ELECTRIC POWER FOR RURAL POPULATION.

***2243. Khan Bahadur Sardar Habib Ullah :** Will the Honourable Minister for Agriculture kindly state—

- (a) how it proposes to bring the benefits of the Mandi Hydro-Electric power within the reach of the rural population of the Punjab ;
- (b) whether it is a fact that cheap electric power for lifting water from the subsoil is the chief form in which the tillers of the soil can benefit from the scheme towards the cost of which they have been the chief contributors ;
- (c) whether it is a fact that a majority of the wells on which it would be desirable to instal electric pumps do not contain sufficient water for the purpose ;
- (d) whether it is a fact that enough water can be secured in most of such wells by putting down bore pipes in them ;
- (e) whether it is also a fact that most of the zamindars desirous of getting their wells bored are finding the conditions on which the Government Department is prepared to bore their wells, at present beyond their means ;
- (f) whether the Government proposes, therefore, to encourage the use of electric pumping appliances by giving zamindars cheaper borings to increase their well water ?

The Honourable Sardar Sir Jogendra Singh : (a) The transmission system of the Uhl River Hydro Electric Project consists of trunk and branch lines with sub-stations at certain towns. A supply of electricity can be drawn from this system only where there is a sub-station as it is only at these points that the voltage of the lines is stepped down to a pressure suitable for the purpose.

The project does not include the cost of lines or sub-stations designed to give a rural as opposed to an urban supply, but the lines and the sub-stations have been designed with a margin of capacity so that should prospects develop of any rural load of sufficient size within command of the system it will be practicable to construct a rural feeder line to the area to be served either from an existing sub-station or from an additional one. The prospects of such loads are already under investigation and where the results are such as to justify the preparation of estimates to cover the cost of a rural extension such estimates will appear in the budget estimates in the usual manner.

(b) This is a matter of opinion ; it is certainly not correct for large areas of the province.

(c) Government cannot give an accurate answer to such a general question, but it believes that in a large number of wells the existing supply of water would be insufficient to justify the installation of electric pumps.

(d) I regret that it is impossible to answer this question definitely, as the results of boring vary so greatly.

(e) Government has no information.

(f) Government is examining the possibility of developing lift irrigation.

FEE FROM ZAMINDARS FOR BORING WELLS.

***2244. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state whether it is a fact that—

(a) for some time no charges were levied from zamindars for boring their wells ;

(b) after some time a fee of Rs. 50 per well for successful boring was prescribed ;

(c) later on the amount of the fee referred to in (b) was raised to Rs. 100 ;

(d) now a fee of Rs. 50 is charged even in respect of unsuccessful boring ;

(e) an advance of Rs. 25 per cent. of the full boring charge is now insisted upon before boring operations are undertaken ?

The Honourable Sardar Sir Jogendra Singh : No. At first only overhead charges were remitted.

(b) Yes, for overhead charges.

(c) No. The charge was on footage with a maximum of Rs. 100 except in special cases.

(d) No. The charge for unsuccessful bores is the same as for successful.

(e) Yes.

FEE FROM ZAMINDARS FOR BORING WELLS.

***2245. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state—

- (a) since when a fee was prescribed for boring the wells of zamindars ;
- (b) since when the scale of fee originally fixed was raised ;
- (c) since when the system of levying a fee even in respect of unsuccessful boring has been introduced ;
- (d) whether the economic condition of zamindars was better or worse than in previous times when the changes referred to in (a), (b) and (c) were introduced ?

The Honourable Sardar Sir Jogendra Singh : (a) 1911.

(b) 1922.

(c) 1932.

(d) This must be largely a matter of opinion as Government has not carried out the detailed investigations which would be necessary to support a definite finding.

WAGES FOR LABOUR.

***2246. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) when test works were started in the Hissar district ;
- (b) the scale of wages fixed for various kinds of labour ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) 27th December, 1932.

- (b) (i) 5 pice per digger.
- (ii) 4 pice per carrier.

RAINFALL.

***2247. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) the average rainfall in winter at various reporting stations in the districts of Rohtak, Hissar and Gurgaon ;
- (b) the amount of rainfall this winter up to the 15th February in the places referred to in (a) ;
- (c) the period at which any rainfall ceases to be of any practical use to wheat, gram, barley and sarson crops in these districts ;
- (d) the amount of relief in the way of the remission and suspension of revenue respectively proposed to be given in each of the districts mentioned in (a) ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) and (b) A statement containing the information required is laid on the table.

(c) It is impossible in the present state of knowledge to say when rain ceases to be beneficial to crops.

(d) *Rohtak district*.—The proposed suspensions and remissions have been sanctioned by Government and are detailed below :—

Amount suspended for <i>kharif</i> 1932.	REMISSION GRANTED OUT OF THE SUSPENDED LAND REVENUE IN RESPECT OF		
	<i>Rabi</i> 1930.	<i>Kharif</i> 1930.	Total
Rs	Rs.	Rs.	Rs.
73,093	2,07,426	77,844	2,85,070

Hissar district.—The amount of land revenue proposed for—

(i) remission in *kharif* 1932 Rs. 1,40,296 (including *muafi* Rs. 1,007).

(ii) suspension out of the demand for *kharif* 1932, Rs. 5,82,567 (including *muafi* Rs. 11,347).

Gurgaon district.—The amount of relief to be given will be determined after the crop inspection this month.

Statement of rainfall in winter at various reporting rain-gauge stations in the districts of Rohtak, Hissar and Gurgaon.

RAIN-GAUGE STATIONS.

ROHTAK DISTRICT.

Serial No.	Period.	Rohtak.	Gohana.	Sampla.	Jhajjar.	Salha- was.	Deri.	Sonepat.
(a)	Average rainfall from 1st November 1932 to 31st January, 1933.	1.20	1.37	1.10	1.15	0.81	1.23	1.38
(b)	Amount of rainfall from 1st November 1932, up to the 15th February, 1933.	.85	.95	..	..	..	..	.55

HISSAR DISTRICT.

Serial No.	Period.	Sirsa.	Fateh- abad.	Hissar.	Hansi.	Bhiwani.	Budh- lada.	Tohana.
(a)	Average rainfall from 1st October to the 31st March.	2.02	2.06	2.42	2.26	2.01	2.46	2.41
(b)	Amount of rainfall from 1st October 1932 up to the 15th February 1933.	..	0.40	0.67	0.55	0.83	1.67	0.20

[Hon. Sir Sikander Hyat Khan.]

GURGAON DISTRICT.

Period.	Farrukhnagar.	Jatusana.	Rewari.	Kohl.	Taues.	Nuh.	Ferozepore.	Hassanpore.	Hathin.	Palwal.	Sohna.	Gurgaon.	Padmahana.	Ballabgarh.
(a) Average rainfall from 1st October, 1932, up to the 15th February, 1933.	1.99	1.68	1.90	2.07	2.28	2.07	1.71	1.56	1.91	2.13	2.10	2.34	2.16	2.23
(b) Amount of rainfall from 1st October, 1932, up to the 15th February, 1933.	..	..	.23	..	..	.38	.15	.38	.23	.36	.60	.28	.38	.51

WATER RATES ON SUGARCANE CROP ON WESTERN JUMNA CANAL.

*2248. Rao Bahadur Chaudhri Chhotu Ram : Will the Honourable Member for Revenue kindly state—

- the amount of water rates per acre of sugarcane crop on the Western Jumna Canal;
- whether it is a fact that no remission of water rates is permissible unless the yield falls below a four-anna crop;
- whether it is a fact that for the purposes of calculating a four-anna crop the standard prescribed is the yield adopted by a settlement officer as the basis of his half-net assets estimate;
- the average yield taken as the basis of half-net assets in the district of Rohtak in respect of sugarcane;
- the expected average yield per acre of *gur* this year in the district of Rohtak;
- the price per maund of *gur* in the Rohtak *mandi* on the 15th February, 1932;
- the total amount of Government dues, that is, land revenue, water-rates and local rates, in respect of one acre of sugarcane in the district of Rohtak;
- the price of *gur* expected to be yielded in an acre of sugarcane as referred to in (e);
- the cost of production per acre of sugarcane in the district of Rohtak, cost of production being taken as including cost of seed, cost of manuring and wages of the labour involved in ploughing, sowing, irrigating, weeding, cutting, stripping, crushing and boiling processes before *gur* is prepared;
- whether it is a fact that the basic principle to be kept in view for the remission of water-rates is that an irrigator should have the means of paying water-rates out of the produce of the soil after deducting the price of seed and cost of production;
- what are the items of expenditure included in the cost of production?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The information is being collected and will be supplied to the honourable member when ready.

Mian Nurullah : Will the Government explain the meaning of the phrase four-anna crop ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I only said that information will be collected and supplied to the honourable member when ready.

WATER RATES ON SUGARCANE CROP.

***2249. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state the remission, if any, of water-rates which the Government proposes to grant on the crop of sugarcane in view of the exceptionally low prices of *gur* ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : None.

AMENDMENT OF RULES *re.* LEVYING OF RATES.

AB-I-ZAI.

***2250. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) whether a special committee was convened by the Chief Engineer (Irrigation) to consider the amendment of *kharaba* rules ;
- (b) whether the Government has any objection and if so, what, to the same committee considering the amendment of the rules relating to the levying of rates or penal charges in respect of *ab-i-zai* and unauthorised use of canal water ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) A meeting, consisting of the un-official members of the Standing Canal Committee together with a few others, was convened by the Chief Engineer for the purpose of an informal discussion of the *kharaba* rules to enable proposals to be put formally before the Standing Canal Committee.

(b) Government proposes to continue the same process in regard to other rules in force if and when necessary.

AMENDMENT IN NORTHERN INDIA CANAL AND DRAINAGE ACT.

***2251. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that the Council passed in its November sittings a resolution recommending the appointment of a committee to consider and report on the amendments necessary to be made in the Northern India Canal and Drainage Act and the rules made thereunder by the Local Government or the Department of Irrigation ;
- (b) whether the Government has taken any action suggested in the resolution referred to in (a) except in respect of *kharaba* rules, and if not, why not ?

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

(b) Government is at present concentrating on the *kharaba* rules but intend to take up the question of other rules and regulations later.

FAILURE OF AN OUTLET.

***2252. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state whether the Government has any, and if so, what objection to laying down a rule that if an outlet fails, under normal circumstances, to discharge a sufficient amount of water to irrigate the permissible percentage of area, suitable action will be taken against those who are responsible for the defective designing or defective construction of that outlet ?

The Honourable Captain Sardar Sir Sikandar Hyat Khan : Government does not fail to institute an inquiry, with a view to taking suitable action, into the case of any work, which by reason of defective designing or construction fails to achieve the purpose for which it is intended, but Government sees no reason for making separate rules as regards outlets.

EXTRA EXPENDITURE ON SESSIONS AND DISTRICT JUDGE, ROHTAK.

***2253. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) the extra expenditure, recurring and non-recurring, which would be required if Rohtak were given a separate and independent sessions and district judge of its own ;
- (b) whether the Government does not consider this extra expenditure as justifiable in view of the saving that will accrue to the litigating public of Rohtak by having a separate district and sessions judge apart from the trouble and inconvenience which will be avoided thereby?

The Honourable Sir Henry Craik : (a) The permanent recurring expenditure would be approximately Rs. 38,000 per annum. It is difficult to give a correct estimate of the non-recurring expenditure but the cost of constructing a sessions court would be in the neighbourhood of Rs. 60,000.

(b) Government will consult the Honourable Judges of the High Court.

SUPPLEMENTARY LAHORE CONSPIRACY CASE.

***2254. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) whether in an offshoot of the Lahore conspiracy case a solitary accused person is being tried separately ;
- (b) whether it is a fact that this accused person has fainted on several hearings involving an adjournment of the case on all or most of these hearings of the case ;
- (c) whether it is a fact that this accused person is a decrepit and paralytic specimen of humanity ;

- (d) how long this case is expected to take in its trial and what will be the approximate cost of the trial ;
- (e) whether in view of the cost of the trial, the uncertain duration of the trial owing to recurring faints, and the physical condition of the accused the Government does not consider it advisable to withdraw the case ?

The Honourable Sir Henry Craik : (a)—(b) Yes.

(c) He is suffering from functional paralysis and from fits of a hysterical nature.

(d)—(e) I am not in a position to make any statement.

CANDIDATES FOR APPOINTMENT AS SUB-JUDGES.

***2255. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly place on the table of the House a statement showing—

- (a) the names, religion and tribe of the candidates selected in January last for appointment as sub-judges ;
- (b) how many and which of these candidates passed their LL.B. examination in the second division ;
- (c) the villages or towns to which the candidates referred to in (b) belong ;
- (d) the candidates selected who are related to judicial officers, in service or retired ?

Mr. C. C. Garbett (Chief Secretary) : (a) Government declines to furnish names but the religion and tribe of the candidates selected in January last for appointment as sub-judges as obtainable from their rolls are given below :—

Hindus.	Muslims.	Sikhs.	Others.
1. Hindu Khatri.	1. Muslim Jat.	1. Sikh.	1. Indian Christian.
2. Hindu Arora.	2. Muslim Bajwa Jat.	2. Sikh Bhandari.	
3. Hindu Aggarwal Vaish.	3. Muslim Kureshi.		
4. Hindu Kayasth.	4. Muslim Cheema.		

Of these selections one is provisional.

(b) Five.

(c) The villages and towns to which the candidates mentioned in (b) belong is not on record. The districts are of Ludhiana, Gujranwala, Gurdaspur, Karnal and Lahore.

(d) One of the selected candidates is the son of a deceased member of the Punjab Civil Service (Judicial Branch).

CIVIL CASES IN SAMPLA.

***2256. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) whether it is a fact that all civil cases from the police station of Sampla in the Rohtak district below the value of Rs. 1,000 pending at Rohtak have been transferred to the file of the sub-judge at Sonapat ;
- (b) whether it is a fact that all cases of the class referred to in (a) will, in future, be instituted in the court of the sub-judge of Sonapat until further orders ;
- (c) whether it is a fact that the police station of Sampla is in the tahsil of Rohtak and an overwhelming majority of the villages comprised within the jurisdiction of the police station of Sampla are nearer to Rohtak than to Sonapat and have better means of communication to Rohtak ;
- (d) whether in view of the additional trouble and expense to the litigants of Sampla police station the Government has any objection to these cases being heard by the sub-judges of Rohtak or by the sub-judge of Sonapat at Rohtak ?

The Honourable Sir Henry Craik : (a)—(b) Yes, owing to the congestion of work in the court of the sub-judge, 2nd class, at Rohtak.

(c) The police station of Sampla is in the tahsil of Rohtak and is connected with Rohtak by rail and with Sonapat by a pucca road and a motor lorry service exists between Sampla and Sonapat. The majority of the villages are certainly nearer to Rohtak than to Sonapat but it is understood that the people find it as convenient to go to Sonapat as to Rohtak.

(d) If after the additional district and sessions judge at Rohtak is withdrawn it is found that the sub-judge, 2nd class, Rohtak, is able to cope with the work, the 4th class cases relating to thana Sampla will be instituted at Rohtak as before.

INSTRUCTIONS TO MAGISTRATES REGARDING SENTENCES OF FINE.

***2257. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) whether the Government has issued any instructions that magistrates should pass sentences of fine in a larger number of cases than before ;
- (b) if the answer to (a) above is in the negative, whether the District Magistrate of Rohtak has instructed the magistrates in the Rohtak district, verbally or in writing, that sentences of fine should be passed in larger number than before ;
- (c) if the answer to (b) is in the negative, the reasons why magistrates in the district of Rohtak have resorted to sentences of fine in addition to imprisonment in a larger percentage of cases in a period of financial stringency ;

- (d) the amount of fines imposed by the magistrates of Rohtak district in the twelve months ending on the 28th February 1933 and the number of cases in which these sentences of fine (alone or in addition to sentences of imprisonment) were imposed ;
- (e) the amount of fines and the total number of cases in which sentences of fines were imposed during the same period in 1927-28 and 1930-31 ;
- (f) the percentage of cases referred to in (d) and (e) to the total number of criminal cases tried during the periods respectively specified in (d) and (e) ?

The Honourable Sir Henry Craik : (a) No.

(b) and (c) No general instructions have been issued, but the District Magistrate drew the attention of one magistrate to the desirability of avoiding short sentences of imprisonment and suggested the imposition of fines in petty cases. Government are not in possession of any returns showing the amount of fines imposed in addition to imprisonment but the returns do indicate that in the last two years fines have been imposed in a larger percentage of cases and this is doubtless due to the tendency on the part of the Magistracy to avoid the infliction of short sentences and also to the larger number of petty cases in which sentence of fine alone can be imposed under the Law.

(d), (e) and (f) The attached statement gives the information required by the honourable member—

Serial No.	Period.	Cases in which fine was imposed.	Amount of fine imposed.	Total number of criminal cases tried.	Percentage of cases referred to in column 3 to those in column 5.
1	2	3	4	5	6
1	1st March, 1927, to 28th February, 1928.	520	21,261	2,407	22%
2	1st March, 1930, to 28th February, 1931.	1,217	45,997	3,239	38%
3	1st March, 1932, to 28th February, 1933.	1,346	45,181	4,343	31%

MOTOR VEHICLES IN ROHTAK DISTRICT.

***2258. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) the number of motor vehicles registered and plying for hire in the Rohtak district in the last calendar year ;
- (b) the number of accidents resulting in (i) deaths and (ii) injuries in the last calendar year ;
- (c) the amount of fine imposed on drivers and owners of motor vehicles in the Rohtak district in the calendar years of 1930, 1931 and 1932, respectively ?

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

Statement.

Number of motor vehicles registered in the Rohtak district at the end of 1932.	Number of motor vehicles plying for hire in the Rohtak district at the end of 1932.	NUMBER OF ACCIDENTS IN THE ROHTAK DISTRICT IN 1932, RESULTING IN		AMOUNT OF FINES IMPOSED ON DRIVERS AND OWNERS OF MOTOR VEHICLES IN THE ROHTAK DISTRICT.		
		Deaths.	Injuries.	Year 1930.	Year 1931.	Year 1932.
				Rs. A. P.	Rs.	Rs.
311	275	5	3	7,938 8 0	6,390	8,801

***2259. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state in respect of Rohtak and Hissar districts, separately —

(a) the number of gun-shot murders in 1930, 1931 and 1932, respectively ;

(b) the number of absconders in (i) murder and (ii) dacoity cases ;

(c) the rewards, if any, and their amounts for the arrest of individual absconders ?

The Honourable Sir Henry Craik : (a), (b), (c) A statement is laid on the table.

Statement No. I (Parts (a) and (b)).

District.	NUMBER OF GUN SHOT MURDERS IN YEARS			NUMBER OF ABSCONDERS IN	
	1930.	1931.	1932.	Murder cases.	Dacoity cases.
Rohtak	9	..	4	10	15
Hissar	9	3	6	41	21

Statement No. II (Part (c)).

REWARDS.

Year.			ROHTAK DISTRICT.		HISSAR DISTRICT.	
			Murder cases.	Dacoity cases.	Murder cases.	Dacoity cases.
			Rs.	Rs.	Rs.	
1930	..	..	..	10	3,500	
1931	..	..	75	1,545		
1932	..	..	5,900	183		

APPROVERS.

***2260. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) the number of cases in the Rohtak district in 1980, 1981, 1982 and 1983 in which there were approvers ;
- (b) the number of accused persons in the cases referred to in (a) ;
- (c) the number of cases in which and the number of accused persons in respect of which convictions were had in original courts and were upheld in the appellate court ?

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

Statement.

Year.	PART (a).	PART (b).	PART (c).				REMARKS.
	Number of cases in which there were approvers.	Number of accused persons in the cases referred to in Part (a).	Number of cases in which convictions were had in original courts.	Number of accused persons in respect of which convictions were had in original courts.	Number of cases in respect of which convictions were upheld in appeal.	Number of accused persons in respect of which convictions were upheld on appeal.	
1930 ..	20	142	15	46	11	29	Result of appeal not received in 3 cases. Result of appeal not received in 5 cases. 2 cases are pending in court.
1931 ..	10	81	6	33	1	1	
1932 ..	4	32	..	..	..	..
1933 ..	..	..	..	..	..	..

MEETINGS OF STANDING COMMITTEES.

***2261. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state how many times in 1931 and 1932 meetings of each of the standing committees relating to his departments were convened ?

The Honourable Sardar Sir Jogendra Singh : Each standing committee was convened once in each year referred to.

SHORT NOTICE QUESTIONS AND ANSWERS.

APPOINTMENT OF MR. MACPHERSON AS REGISTRAR, CO-OPERATIVE CREDIT SOCIETIES.

Mian Nurullah : Will the Honourable Minister for Agriculture kindly state—

- (a) whether it is a fact that Mr. Wilson, Registrar, Co-operative Societies, is shortly proceeding on long leave ;
- (b) whether it is a fact that Mr. Abel is the first deputy registrar, Khan Bahadur Malik Fateh Khan Noon is the second deputy registrar and Sardar Sahib Beant Singh is the third deputy registrar of Co-operative Societies ;
- (c) whether it is a fact that instead of any of the deputy registrars, Mr. Macpherson, Financial Advisor to Co-operative Societies, is shortly to act as Registrar of that department for about a month ;
- (d) if so, reasons why the deputy registrars are being passed over ;
- (e) what experience, administrative or otherwise, Mr. Macpherson has of the Department of Co-operation ;
- (f) if he has no such experience and he does not belong to the department as such, on what grounds he is going to be appointed as Registrar of the same department of which he is a mere Financial Advisor ;
- (g) whether he will act as an Advisor also when officiating as Registrar ;
- (h) whether it is a fact that Mr. Abel and Sardar Sahib Sardar Beant Singh are on duty in charge of the examinations, which are being held at Gurdaspur and can be called to Lahore any time ?

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

(b) The names of officers in the department and the posts held by them with the exception of a deputy commissioner recently placed on special duty, will be found on pages 141 and 142 of the Punjab Civil List for the half year.

(c) The officer mentioned will hold charge of the post for a short period in addition to his own duties. Government are satisfied that the arrangement is entirely suitable in the circumstances of the case and that it is in the interest of administrative convenience.

(d) Both the deputy registrars are on leave.

(e) He has been in the department now for the last five years.

(f) The question does not arise. If the honourable member would like to know, no one in the department has been passed over and there is no likelihood of any one being passed over for that matter.

(g) Yes.

(h) I was not aware of it.

Mian Nurullah : With reference to (a) has he given over charge ?

The Honourable Sardar Sir Jogendra Singh : Yes.

Mian Nurullah : With reference to (c) for how long ?

The Honourable Sardar Sir Jogendra Singh : I think only for a month.

Mian Nurullah : With reference to (d) were they not on duty when he took charge ?

The Honourable Sardar Sir Jogendra Singh : I am not aware.

Mian Nurullah : With reference to (e) may I know whether he has been in the department as an expert or just as an administrative officer ?

The Honourable Sardar Sir Jogendra Singh : I do not follow the meaning of the honourable member's question.

Mian Nurullah : With reference to (g) may I know what was the necessity of keeping an expert who can also be an administrative officer ?

The Honourable Sardar Sir Jogendra Singh : It is only for a short time.

Mian Nurullah : Did he ever get a chance before to do so and if so, when did the chance arise.

The Honourable Sardar Sir Jogendra Singh : No. The senior deputy registrar Malik Fateh Khan was there before, and was not on leave as he has been now.

Mian Nurullah : Malik Fateh Khan has been said to be the second deputy registrar. What about the first one and why was he not chosen ?

The Honourable Sardar Sir Jogendra Singh : The appointment of Mr. Macpherson was considered more convenient administratively.

APPOINTMENT OF MAJOR MALHOTRA AS DIRECTOR OF PUBLIC HEALTH.

Shaikh Muhammad Sadiq : (a) Will the Honourable Minister for Education kindly state whether it is a fact that Khan Bahadur Abdul Rahman Khan has handed over charge of the Director of Public Health to Major Malhotra, and, if so, will he please explain the circumstances which have led to this ?

(b) Will he also please explain the present position with regard to the reservation of posts for the Indian Medical Service officers in the Public Health Department and how this affects the non-Indian Medical Service officers of the department ?

The Honourable Malik Sir Firoz Khan Noon : (a) Yes. The post of Director of Public Health was reserved for an I. M. S. officer under the regulations made by the Secretary of State for India under Rule 12 of the

[Hon. Sir Firoz Khan Noon.]

Devolution Rules of December 1920 and it remained so reserved up to 1928. Under the regulations now in force, Major Malhotra is one of those I. M. S. officers whose rights are protected and consequently he has been appointed the Director of Public Health from the 27th February last, when Colonel Gill's lien on this post expired.

(b) Under the regulations made by the Secretary of State which are now in force the post of Director of Public Health is not reserved for an I. M. S. officer but one post of Assistant Director of Public Health is reserved for an I. M. S. officer. By Major Malhotra's promotion to officiating Directorship we are left with three non-I. M. S. officers as Assistant Directors of Public Health. The appointment of an I. M. S. officer as an Assistant Director of Public Health under the regulations referred to above has not yet been taken up.

Chaudhri Riasat Ali : What are the names of these three Assistant Directors of Public Health ?

The Honourable Malik Sir Firoz Khan Noon : The names are given in the Civil List.

Chaudhri Riasat Ali : In view of the regulations referred to, is the Honourable Minister going to dismiss one of the Assistant Directors or to create a new post for an I. M. S. officer and thus waste public money ?

The Honourable Sir Firoz Khan Noon : We have not considered that question yet.

ELECTION OF WOMEN TO LEGISLATIVE COUNCIL.

Kanwar Mamraj Singh Chohan : Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that for the bye-election for the North-East Towns (non-Muhammadian) urban constituency one lady candidate, Sh. Lekhwati by name filed the nomination paper on 27th February, 1933 ;
- (b) whether it is a fact that her nomination paper was rejected by the returning officer on 28th February 1933 on the ground that a female candidate as such is ineligible to stand as a candidate ;
- (c) whether it is a fact that the sex disqualification of a candidate was removed by the Punjab Government by notification No. 5009-L, Home Department (Election) of 28th October 1926 ;
- (d) whether it is a fact that the returning officer did not have the above notification incorporated in the Constitutional Manual supplied to him ;
- (e) what the Government intends to do to remedy the sheer injustice and hardship done to the lady candidate by this ignorance of the returning officer and the negligence of Government officials ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) (b) and (c) : Yes.

(d) Enquiries are being made.

(e) The orders of the returning officer cannot be called in question except by an election petition. If and when an election petition is made Government will be prepared to take early action under the Electoral Rules.

UNSTARRED QUESTIONS AND ANSWERS.

LAND ALLOTTED TO DIFFERENT CLASSES OF PEOPLE IN COLONY AREAS.

600. Sayad Mubarak Ali Shah : Will the Honourable Member for Revenue please state—

- (a) the total area of land in acres allotted to different classes of people (landed-gentry, *ex*-soldiers, retired civilians and *abadkars*, etc.) during the colonisation period in the *ilagas* originally comprising the district of Jhang prior to the making of Lyallpur into a separate district ;
- (b) the area of land in acres allotted to the original inhabitants of Jhang district at present residing in the chaks included in the Jhang district ;
- (c) the total area of land in acres which was allotted to the people imported from other parts of the province ;
- (d) the area of land in acres allotted to the inhabitants of Jhang district as at present constituted in the other colonized parts of the province such as Shahpur, Montgomery and Multan districts ;
- (e) if the area of the land granted to the Jhang district people in other colonies of the province be small as compared with the area allotted to the people imported from other parts of the province into the Jhang district original, whether the Government is prepared to recognise the claims of the original inhabitants of the Jhang district in the shape of granting them lands in the other colonized districts whenever an opportunity occurs in future. If not, why not ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I regret that the information required by the honourable member is not available in the offices either at Lahore or Jhang. To collect it would involve a long and detailed inquiry the result of which would hardly be commensurate with the labour involved.

LAND ALLOTTED TO STUDENTS AND GRADUATES.

601. Sayad Mubarak Ali Shah : Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that some land has been allotted to a number of students and graduates of the Punjab University on the terms of the peasant proprietorship ;

[S. Mubarak Ali Shah.]

(b) the total area in acres ;

(c) how much land has been given to such students and graduates who belong to the statutory agriculturist tribes ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Yes, land has been allotted to a number of students and graduates of the Punjab University on the terms published with Punjab Government notification No. 523-C., dated 27th January 1932.

(b) 2,437 acres.

(c) Government has no information. The selection of grantees was left to principals of colleges.

SALSI PROCEEDINGS IN JHANG.

602. Sayad Mubarak Ali Shah : Will the Honourable Minister for Agriculture please state—

(a) the number of *salsi* proceedings by the staff of the Central Co-operative Bank, Jhang, staffs of the co-operative societies and also the Mortgage Bank, Jhang, in the Jhang district during the last three years up to the end of 1932 ;

(b) the total amount of money realised in these proceedings and the total amount of land sold or leased out by the above named agencies in these proceedings during the same period ?

The Honourable Sardar Sir Jogendra Singh : I have no information as to legal proceedings taken by individual co-operative banks and societies. The question should really be addressed to the Honourable Finance Member, as it relates to the administration of justice, but my colleague has informed me that the information asked for is not available in the statistics supplied to him.

METALLED ROADS IN THE PROVINCE.

603. Sayad Mubarak Ali Shah : Will the Honourable Minister for Agriculture please lay a statement on the table showing therein :—

(a) the total mileage of metalled roads under the Public Works Department in the province, the total amount of money spent on the metalled roads by the Public Works Department since 1920 up to the end of 1932 ;

(b) the mileage of metalled roads constructed by the Public Works Department in each district of the province during the said period, with the amount of money granted to each district of the province for these roads during the period mentioned above ?

The Honourable Sardar Sir Jogendra Singh : A statement furnishing the required information in so far as it is available is laid on the table.

Metalled Roads in the Province

- (a) (i) The total mileage of metalled roads under the Public Works Department is .. 2,699 miles.
- (ii) Total amount of money spent on these roads (including bridges) by the Public Works Department during the period 1919-20 to 1931-32 was :—

	Rs.
(a) Original works including Capital expenditure and expenditure on Central Road Fund account ..	3,19,07,000
(b) Maintenance including expenditure on Central Road Fund Account ..	3,97,09,000
Total ..	7,16,16,000

(b) Prior to 1925-26 the figure of metalled roads constructed by the Public Works Department were not kept by districts. The length of metalled roads constructed since then in each district is as under :—

	Miles.
Rawalpindi District	1.42
Attock District	15.25
Dera Ghazi Khan District	2.00
Lyallpur District	13.60
Shahpur District	21.88
Multan District	198.20
Muzaffargarh District	5.20
Jhang District	3.68
Sheikhpura District	33.29
Gujranwala District	4.35
Montgomery District	164.58
Lahore District	68.62
Ferozepore District	54.00
Hissar District	55.65
Rohtak District	4.00
Gujrat District	0.25
Jhelum District	1.84

Details by districts of the amount of money granted for construction of new metalled roads during the period 1919-20 to 1931-32 are not available.

SCHOOL BUILDINGS DESTROYED BY FLOODS IN JHANG DISTRICT.

604. Sayad Mubarak Ali Shah : Will the Honourable Minister for Education please state—

- (a) the total number of school buildings destroyed by the floods of 1928, 1929 and 1930 in the riverain tracts of the Jhang district ;

[S. Mubarak Ali Shah.]

- (b) the number of such school buildings which have been repaired or re-built through the district board by grants given by Government for this purpose from the provincial funds ;
- (c) the number of school buildings damaged by floods which have not yet been repaired or re-built after the floods ;
- (d) whether the Government is prepared to grant an adequate sum of money to repair or re-build such schools and, if not, what are the reasons for this ?

The Honourable Malik Sir Firoz Khan Noon : Reference on the subject has been made to the local officers and the reply will be communicated to the honourable member when ready.

HONORARY OFFICES IN THE JHANG DISTRICT.

605. Sayad Mubarak Ali Shah : Will the Honourable Member for Finance please state—

- (a) the total number of honorary offices such as (i) honorary magistrates, (ii) honorary civil judges, and (iii) honorary sub-registrars in the Jhang district ;
- (b) distribution of these offices along with the names of the present incumbents holding them and their community ;
- (c) the proportion of these offices enjoyed by each community ?

The Honourable Sir Henry Craik : (a) (i) Honorary magistrates two.

- (ii) Honorary civil judges one.
- (iii) Honorary sub-registrars none.

(b) (i) Honorary magistrates—

- (1) Rai Bahadur Lala Girdhari Lal.
- (2) Faqir Muhammad Rashid.

(ii) Honorary civil judges—

- (1) Rai Bahadur Lala Girdhari Lal.

(c) (i) Honorary magistrates—

					Per cent.
Hindu	50
Muslim	50

(ii) Honorary civil judges

Hindu	100
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HONORARY SUB-REGISTRAR AT JHANG.

606. Sayad Mubarak Ali Shah : Will the Honourable Minister for Local Self-Government please state—

- (a) the total income derived from the registration office at Jhang during the last five years ;
- (b) the income from each community, i.e., Muslim, Hindu and Sikhs for getting their deeds registered in the said office during the said period ;

- (c) the amount of money charged by the honorary sub-registrar as his fees during the said period ;
- (d) the proportion and the total income as in (a) charged from the members of the statutory agricultural tribes and the proportion charged from the non-agriculturists by the said office ;
- (e) the name and the community of the honorary sub-registrar and also the number of years for which he has been holding this office ;
- (f) whether he was given an extension for a year last year and the date on which the period of extension is to expire ;
- (g) whether the Government is prepared to replace him with a Muslim zamindar this time, and if not, why not ?

The Honourable Dr. Gokul Chand Narang : (a) Rs. 56,483.

(b) (i) Muslims, Rs. 28,500.

(ii) Hindus, Rs. 27,294.

(iii) Sikhs, Rs. 639.

(c) Rs. 5,115.

(d) (i) Agriculturists, Rs. 19,648.

(ii) Non-agriculturists, Rs. 36,785.

The proportion is 7 to 13.

(e) (i) Rai Bahadur Lala Girdhari Lal.

(ii) Hindu.

(iii) 14 years and 2½ months.

(f) He has been granted an extension until the 30th June, 1934.

(g) The sub-registrars are as a rule appointed on the recommendations of the local officers and these recommendations are considered along with the instructions laid down in the Registration Manual. The claims of any Muslim recommended by local officers will be duly considered.

NILA No. 1 MINOR. AMINPORE SUB-DIVISION.

607. Sayad Mubarak Ali Shah : Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that there is some defect in the headwork of Nila No. 1 minor in the Aminpore sub-division of the Jhang branch of the Lower Chenab Canal ;
- (b) whether owing to the defect mentioned in (a) there is always a general complaint against the water supply by this minor at its tail irrigating chak Nos. 198 and 199 in the Jhang district, and this complaint has been brought to the notice of the local officers concerned by the zamindars of the said chaks on several occasions both in writing and by verbal request but no step has so far been taken to remove this long standing complaint ;
- (c) if the answer to the above be in the affirmative, what steps the authorities concerned intend to take to remove this defect ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) There is no Nila No. 1 minor in the Aminpur sub-division but there is one of this name in the Dhaular sub-division of Jhang division. It is not a fact that there is some defect in the headwork of this channel.

(b) There is no complaint whatever on account of the alleged defect in the head nor has this been ever brought to the notice of local officers either orally or in writing since September 1931 when some alterations were done to the head regulator. Irrigation in chak Nos. 198 and 199 show a large excess over the area for which water is supposed to be provided.

(c) In view of (b) above, no further action is called for.

WATER SUPPLY TO CHAK No. 246.

608. Sayad Mubarak Ali Shah : Will the Honourable Member for Revenue please state—

(a) whether it is a fact that there is a long standing complaint regarding the water supply to chak No. 246 situated on the Tarrar minor of the Ukbana sub-division of Lyallpur division ;

(b) whether on this complaint the sites of the heads of the outlets irrigating the said chak were changed which made the matter still worse as the head of the outlets was constructed sideways while two other outlets at the same spot get water from the same running direction at the tail of the said minor ;

(c) if the answer to the (a) and (b) be in the affirmative, whether the Government is prepared to construct the heads of the outlets irrigating chak No. 246 in the same direction in which the water runs ; if not, why not ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) There is no complaint at present.

(b) Prior to 1929, chak No. 246 was on one outlet from Tarrar minor, but in April 1929, this was made into a sub-minor from Tarrar minor. There is only one outlet at 5400-R., besides the tail, which is fixed in an approved manner.

(c) Does not arise. This minor only irrigates chak 246 and no other.

SQUARE No. 3 IN CHAK No. 246 R. B.

609. Sayad Mubarak Ali Shah : Will the Honourable Member for Revenue please state—

(a) whether it is a fact that square No. 3 in chak No. 246-R. B. in Lyallpur district was purchased by one Raja, son of Saman, caste Sipra about four and-a-half years ago from the Government and he has paid about Rs. 4,000 since then, but has not paid the *malikana* ;

(b) whether he found some graves at the time of levelling the land to bring it under cultivation and he applied for the exchange of this square with square No. 48 in the same chak, on the ground that according to Muslim belief, it is a sin to cultivate the lands where there are graves ;

- (c) whether exchange of Government purchased lands has been allowed in the past in similar cases in the Lyallpur and Jhang districts ;
- (d) the number of such exchanges which took place in the districts of Jhang and Lyallpur ;
- (e) if the answer to (c) be in the affirmative, whether the Government is prepared to allow the said Raja the exchange of square No. 8 with square No. 48, if not, why not ?

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

(b) Yes.

(c) and (d) One similar case has occurred in Jhang district.

(e) This particular exchange was rightly refused because the land applicant wanted adjoined the *abadi* ; it is open to him to make other proposals.

REPORT OF THE RURAL INDEBTEDNESS COMMITTEE.

610. Sayad Mubarak Ali Shah : Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that sometime ago a committee was appointed (The Rural Indebtedness Committee) by the Punjab Legislative Council to inquire into the heavy indebtedness of the Punjab rural population and make recommendations to relieve the said class of people from this burden ;
- (b) whether that committee has held its sittings and completed its labours, and its report is ready by now ;
- (c) whether that report is a unanimous one, or a minute of dissent is also appended to that report by some member, if so, to what community he belongs and whether he is a statutory agriculturist or not ;
- (d) when the Government intends to place that report on the table of the Punjab Legislative Council ?

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

(b) Yes.

(c) The report is unanimous. A separate note is appended by the honourable members for Punjab Industries and for Rawalpindi division and Lahore division North, non-Mohammadan rural, who must be well known to the honourable member.

(d) A copy of the report will be laid on the table when the Council meets for the Budget session.

KHANEWAL PLANTATION.

611. Sayad Mubarak Ali Shah : Will the Honourable Revenue Member please state—

- (a) whether it is a fact that about 8,000 acres of shisham planted area in Khanewal plantation was disforested ;

[S. Mubarak Ali Shah.]

- (b) whether it is also a fact that about rupees three lakhs were spent on plantation of this particular area ;
- (c) the reason for the destruction of the forest crop ;
- (d) who the officer responsible for this action was and what his powers were in this respect ;
- (e) whether the sanction of the Government was required for disforestation such a big area under the Forest Act or Rule ;
- (f) whether any such sanction was obtained ;
- (g) if not, what was the action taken by the Government in the matter ; if no action was taken, why not ;
- (h) whether it has been represented to the Government that the reason for destroying such a big planted area was to provide more area to the lessee of the temporary cultivation ;
- (i) whether it is a fact that the lease of temporary cultivation in this plantation is held by one man ;
- (j) if so, what is his name ;
- (k) for how many years he has been getting the lease ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a)

No.

- (b) Yes.
- (c) to (h) Do not arise.
- (i) Yes.
- (j) It is not usual to give names in answering Council questions.
- (k) From 14th October, 1924, to 30th June 1936.

CO-OPERATIVE CREDIT SOCIETIES IN SHEIKHUPURA.

612. Chaudhri Shah Muhammad : Will the Honourable Minister for Agriculture kindly state—

- (a) how many co-operative societies have been dissolved and have been into liquidation during the past three years in the district of Sheikhupura ;
- (b) the amount of money, which is subject to the jurisdiction of insolvency court at Sheikhupura belonging to the co-operative credit societies ;
- (c) how many zamindars leased out or mortgaged or sold their holdings to pay off their debts due to the co-operative societies in the district of Sheikhupura ;
- (d) the number of unions which were existing in the Sheikhupura district in the years 1924 and 1925 ;
- (e) whether it is a fact that all those unions failed and none exists in the district at the present time ?

The Honourable Sardar Sir Jogendra Singh : (a) Dissolved 24.

In liquidation 61.

- (b) and (c) Government has no information.
- (d) 5.
- (e) No.

DISTRICT BOARD, SHEIKHUPURA.

613. Chaudhri Shah Muhammad : Will the Honourable Minister for Local Self-Government kindly state—

- (a) the yearly income of Sheikhupura District Board ;
- (b) the yearly expenditure of the said district board ;
- (c) the amount of money which is being spent on girls' education by the said district board ;
- (d) the number of schools which are maintained exclusively for female education by the said board ;
- (e) how many schools have been closed by the board for want of funds ;
- (f) the total number of contractors who work under the board for repairs and construction of buildings ;
- (g) how many of the elected members are illiterate ;
- (h) whether the Government has given any seat to "untouchables" by nomination ;
- (i) how many district boards in the province have got the right to elect their own chairman ?

The Honourable Dr. Gokul Chand Narang : (a) Actual income for the year 1931-32—Rs. 5,53,740-2-8.

- (b) Actual expenditure for the year 1931-32—Rs. 5,55,709-3-10.
- (c) Rs. 19,000.
- (d) 28.
- (e) 82 branches, 2 primary schools, and middle classes at Faridabad.
- (f) 58.
- (g) 4 out of 24.
- (h) No.
- (i) Every district board in the province has got a right to elect its own chairman, save the district board of Simla, where the deputy commissioner alone constitutes the board.

SHORTAGE OF CANAL WATER AND FAILURE OF COTTON IN SHEIKHUPURA.

614. Chaudhri Shah Muhammad : Will the Honourable Member for Revenue kindly state—

- (a) the average produce of cotton per acre in Sheikhupura tahsil ;
- (b) whether it is a fact that there is a general complaint throughout the province of the failure of cotton crop ;
- (c) whether desi and American cotton both equally failed or whether there was any difference according to the report received by the Government ;
- (d) whether it is a fact that supply of water has been throughout the season deficient ;
- (e) the total number of deputations and applications which have been received by the Government complaining of shortage of canal water supply throughout the year ?

The Honourable Captain Sardar Sir Sikandar Hyat Khan : (a)
Average produce (yield) in maunds per acre assumed at last settlement was :—

Tahsil.	Name of circle.	Sorr.		
		Chahi.	Nahri.	Barani.
Sheikhupura ..	Gugera Branch Colony ..	..	6	..
	Lower Chenab Bar	5	5	3
	Upper Chenab Bar	5	5	3

(b) Some complaints regarding failure of cotton have been made to Government.

(c) In some districts desi cotton suffered more than American, in others vice versa.

(d) The supply of water from the canals was below average towards the end of the cotton season, but not below the quantity required for the amount of irrigation for which the canal was intended.

(e) It is not possible to collect accurate information regarding deputations and complaints.

GOVERNMENT'S DEMANDS FOR GRANTS.

The Honourable Sir Henry Craik (Finance Member) : I have to communicate to the Council that all the motions for appropriation contained in the order paper are made on the recommendation of His Excellency the Governor.

EXPENDITURE IN ENGLAND UNDER THE CONTROL OF SECRETARY OF STATE.

The Honourable Sir Henry Craik : I move—

That a sum not exceeding Rs. 27,000 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 1934 in respect of Expenditure in England under the Control of the Secretary of State.

The motion was carried.

EXPENDITURE IN ENGLAND (OTHER THAN STORES).

The Honourable Sir Henry Craik : I move—

That a sum not exceeding Rs. 4,46,100 be granted to the Governor in Council and the Punjab Government (Ministries of Education, Agriculture and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1934 in respect of Expenditure in England (other than stores) under the Control of the High Commissioner for India.

The motion was carried.

REFUNDS (TRANSFERRED).

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

That a sum not exceeding Rs. 7,91,400 be granted to the Punjab Government (Ministries of Education, Agriculture and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1934 in respect of Refunds (Transferred).

The motion was carried.

REFUND (RESERVED).

The Honourable Sir Henry Craik : I move—

That a sum not exceeding Rs. 3,14,800 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 1934 in respect of Refunds (Reserved).

The motion was carried.

LOANS BY PROVINCIAL GOVERNMENTS (TRANSFERRED).

The Honourable Sardar Sir Jogendra Singh : I move—

That a sum not exceeding Rs. 4,56,000 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 1934 in respect of Loans by Provincial Governments (Transferred).

Mr. President : The motion is—

That a sum not exceeding Rs. 4,56,000 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 1934 in respect of Loans by Provincial Governments (Transferred).

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

That the total grant be reduced by Rs. 100.

My main object in bringing forward this motion is to urge on the Government to lower the rate of interest that is charged in connection with two items particularly mentioned at page 499 of the Budget Estimates, "Loans and Advances." The first item is advances to cultivators granted under the Co-operative Credit Societies Act. I have just been told in answer to a question of mine by the Honourable Minister for Agriculture that the rate of interest is fixed from 8 to 12 per cent. It may be true that in certain cases the department is charging 8 per cent. But up till now, it has not come to my notice at least. As far as I know the society advances money to the cultivators at about 12 per cent., if not more. At the present juncture when the money market is so tight as far as the agriculturists are concerned and when money is so free as far as the banks and Government are concerned, this rate of interest seems to be rather excessive and, therefore, I would urge on the Government that as they are contemplating the loan conversion scheme, they will reduce the rate of interest on such investments. At the present juncture 12 per cent. seems to be very excessive and that is one great reason why the cultivators cannot meet the demand for repayment and cases arise where co-operative societies have to give up not only the interest but also the principal. It will be helping the co-operative societies as well as the cultivators if the rate is lowered.

[K. B. Sardar Habib Ullah.]

The second item in the same page of the Estimates occurs in connection with loans and advances under the Industrial Loans Act. Here again I believe the rate is excessive. I am not sure how these rates are fixed. I am told that in some cases the rates vary from 9 to 12 per cent. If you want the advancement of the industries in the country it is essential that the rate of interest here also ought to be reduced. Banks no doubt advance money on higher rates and it is true that the Industries Department charge a comparatively low rate. But when the industries are in sore need of help from the Government a lower rate of interest is necessary. I would, therefore, urge that the Government should see that the rate for loans to industries should be lowered and the growth of industries encouraged.

Mr. President : Motion is—

That the total grant be reduced by Rs. 100.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): If I may explain, Government lends no money to the societies as the honourable mover alleges. The money is borrowed from the central banks by a society and the central bank fixes the rate of interest for the money it lends. The society lending it to its own members, again fixes a higher rate which it thinks meets its requirement. The particular item of two lakhs to which the honourable member has drawn attention, was an advance made by the Government to the mortgage banks and the interest charged is $6\frac{1}{2}$ per cent. At that time the Government was able to borrow money from the Government of India at $5\frac{1}{2}$ per cent. Thus only 1 per cent. above the rate at which the money was borrowed was charged. So far as the honourable member's plea for cheap money is concerned I sympathise with him that there should be cheap money available for agriculture and industries and I wish I could find some way of doing it.

Mr. President : Question is—

That the total grant be reduced by Rs. 100.

The motion was lost.

Mr. President : Question is—

That a sum not exceeding Rs. 4,56,000 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 1934 in respect of Loans by Provincial Governments (Transferred).

The motion was carried.

LOANS BY PROVINCIAL GOVERNMENTS (RESERVED).

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member): Sir, I beg to move—

That a sum not exceeding Rs. 9,54,400 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 1934, in respect of Loans by Provincial Governments (Reserved).

Mr. President : The motion is—

That a sum not exceeding Rs. 9,54,400 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 1934, in respect of Loans by Provincial Governments (Reserved).

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural)

(Urdu): Sir, I beg to move—

That the total grant be reduced by Re. 1.

I have two objects in bringing forward this motion. In the first place I want to impress upon the Government that the sums reserved in the budget with respect to Land Improvement Loans Act and Agricultural Loans Act are not sufficient and are not likely to adequately meet the requirements of the zamindars. It is really a pity that the tendency of the Government during the last few years has been towards steadily decreasing these sums. In 1931-32 for instance, Rs. 4,23,760 were provided for land improvement loans whereas a sum of 6 lakhs of rupees was provided in the previous year. Subsequently this sum was further reduced to Rs. 3,60,000 and in the present budget we find that only Rs. 4,25,000 are provided for that item of expenditure. So far as the item of agricultural loans is concerned the sum of 5 lakhs provided in 1932-33 was reduced to Rs. 3,74,000 in the revised budget. A sum of Rs. 3,75,000 is provided for this item for 1933-34 which is by no means a liberal provision. Under these circumstances one is apt to entertain grave doubts about the sympathy of the Government for the zamindars and their solicitude for rendering them financial aid by giving *taccavi* loans and advancing money for agricultural improvements. I would invite the attention of the Honourable Revenue Member to this matter of great importance and ask him to take early steps in order to provide these facilities to the zamindars. It is just possible that it may be argued by the Government that the zamindars do not avail of all the money set apart for the purpose of advancing *taccavi* loans to them and giving them other help for improving their lands. But I want to submit in this connection that zamindars are not to blame in this respect because it is the poor zamindars who stand in greatest need of the help of the Government. In fact *taccavi* loans are a blessing for them. Such is the acuteness of the financial depression which prevails amongst them that if a peasant loses a bullock it is almost impossible for him to buy another. So he has no option but to go to the sympathetic *tahsildar* or deputy commissioner for help instead of to the *sahukar* who charges a high rate of interest. But the difficulty is that the procedure of securing a loan from the Government is so intricate and the rules on the point so hard that the poor simple zamindar cannot muster courage to ask for help from the Government. If he desires to seek help from the Government he has, in the first place, to submit several petitions to the district authorities. Then the *tahsildar* begins to make his enquiries about the financial position of the applicant and even after this officer's enquiry there remain many other obstacles to surmount. To name some of them, the applicant has to furnish heavy sureties and then the Government ascertains as to how much of his land can be conveniently mortgaged. I do not mean to say that Government should not take steps to safeguard against any possibility of the money being wasted or that it should not see whether its money will be returned or not, but what I want to impress upon the Government is that Government should make it very easy for the applicant who wants these advances. I do not say that Government may advance loans even to those who are penniless and who will not return the loan advanced to them. There should be very simple rules for advancing these loans so that the zamindars may not have to wait for weeks together to obtain a loan of even one hundred rupees as it happens in these days. The Government is perhaps not aware that in securing such loans the zamindar has to pass through so many ordeals if I may say so. He has to pay to the *munshi* and then to gratify

[K. B. Sardar Habib Ullah.]

the siah navis and also the chaprasis and in fact every person with whom he has to deal while securing such loans. Though the Financial Commissioner has given explicit order to the effect that money may be advanced by a tahsildar on the verbal request of a zamindar, unfortunately the subordinate officers of the Government are as a general rule, very strict in the observance of these rules which relate to the advancing of loans. They are, I should say, very often overstrict in such dealings. It is necessary, therefore, that higher authorities should take early steps to effect the simplification of the rules governing these loans so that even the smallest holders may be able to benefit by this concession. I may inform the Government that it is because of the rigidity of these rules that the amount reserved for this purpose by the Government is not fully utilised. A few months ago a peculiar disease spread among the cattle and zamindars lost their cattle in numbers. But they could not obtain loans to buy more cattle before the lapse of at least two months. It is high time, therefore, that the Government should seriously consider the advisability of issuing a circular to inform the subordinate officials and the people at large that rigid rules with regard to the Government loans are modified and simplified to a great extent and that in future the borrowers will not feel the difficulties they have been hitherto experiencing. So, if the Government spends two or three lakhs more to render the zamindars the requisite financial aid they will be saving him from a lot of difficulties. I hope they will not grudge the expenditure of two or three lakhs for the sake of a section of the people which is responsible for bringing eight or nine crores of rupees yearly into the coffers of the Punjab Government.

As regards Land Improvement Loans Act, I feel constrained to remark that it is simply ridiculous to devote only three or three and-a-half lakhs of rupees for this item. If the authorities really mean that the amount should be utilised for the purpose of improving the agricultural conditions of the province let me assure them that the amount is barely sufficient to meet the requirements of even a single district. And, if the Government were again to put forward this excuse that the zamindars have never so far availed of the whole amount reserved in this item, I would again submit that this is all due to the rigidity of the rules in vogue. The Financial Commissioner was pleased to send me a copy of the Agricultural Loans Act during the sittings of the Debts Committee and from a perusal of it I learnt that in case a zamindar wanted to raise a loan, he had to mortgage his land to the Government. I again want to assure my honourable friends that I am not averse to calling for sureties as a safeguard against the possible waste of Government money but I also want to make it clear on the floor of this House that the zamindars feel it nothing short of positive humiliation to raise loans from the Government by mortgaging their landed property. They shrink at the very idea of it being known to the people at large that they have encumbered their land by borrowing money from the Government. I am not aware of the largest sum given in this connection, yet I can definitely say that generally they do not give more than two or three thousands to a person, and the loan for the purpose of sinking a tube well does not exceed Rs. 3,000 or Rs. 4,000. And the Government have no difficulty in realising their debts as provided by the Loans Acts. So it

would be in the fitness of things if they take early steps to simplify their rules in this connection also and do not make it obligatory for their debtors to mortgage their lands.

Next I would like to draw the attention of the Honourable Revenue Member and the Financial Commissioner to another matter of grave importance. The rate of interest charged on *taccavi* loans and loans raised for improvement is very excessive. The Government should, in this connection, take notice of this fact also that in the investment of the borrowed money and the consequent improvement of the agricultural conditions they have also a very vital interest. If the income of the zamindar increases, the land revenue and other Government demands have a corresponding enhancement. They, therefore, should not indulge in the laborious examination of technicalities but readily and sympathetically agree to take 4 per cent. interest on loans advanced to the zamindars even if they themselves are paying 6 per cent. interest to the Government of India. They should make a representation to the Government of India and plead that since the financial condition of the agriculturists is anything but satisfactory, they do not find themselves in a position to charge such a high rate of interest. The Government only receives a few thousands of rupees by way of interest on these loans and if they cease to get a portion of this sum they will not be sustaining any very great loss. But the zamindars, on the other hand, will be relieved of great distress. I hope that considerate attention will be paid to this submission. With these considerations, Sir, I have moved this motion.

Mr. President : The motion is—

That the total grant be reduced by Re. 1.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member), (*Urdu*) : Sir, questions have been asked with regard to this matter and the Government has already explained its position in the replies to these questions. I should like, however, to make a few observations to dispel misunderstanding which still seems to exist.

So far as the question of increasing the amount is concerned, you must have seen in the budget that the sum provided for 1933-34 is more by half-a-lakh of rupees as compared with the amount sanctioned for the current year. This amount will be sufficient to meet the requirements of the zamindars during the next financial year. So far as I am aware, there have been no complaints during the previous year on the ground of inadequacy of funds. I am not aware of any reasonable request for a loan being refused since I have been in office. It is, therefore, not necessary to provide a bigger amount than that contained in the budget. If applications for loans exceed the amount budgetted I am sure the Finance Department will not refuse additional help. I may remind the honourable members that when Dera Ghazi Khan was swept by floods in 1929 there was a heavy demand for *taccavi* loans and the Finance Department readily gave us the extra amount required. I, therefore, do not see the necessity for increasing the amount already budgetted for. As regards the inconvenience which the borrowers have sometimes to experience at the hands of the subordinate officials, I am in sympathy with the honourable mover's views. He will remember that when I was a non-official member of this Council I brought these difficulties to the notice of the Government and instructions

[The Hon'ble Captain Sardar Sir Sikander Hyat Khan.]

were issued on the subject. These instructions lay down among other things that the payment of *taccavi* money should be made in the presence of and under the direct supervision of a responsible officer. I am not aware how far matters have improved as a result of these instructions, but if the honourable mover will furnish any specific instances of hardship, which may have come to his notice I will be glad to look into the matter.

As to the question of security, the honourable mover has himself admitted that Government cannot, and should not, advance loans without taking adequate security. There appears to be some confusion in the minds of some members about the procedure also. No registered mortgage deed is executed. The practice, so far as I am aware, is that entries are made in the revenue registers showing the amount which has been advanced to the debtor and the area and description of land on which the loan is secured. Government can always realise the amount due by virtue of those entries, in accordance with the procedure laid down in the Land Revenue Act for realisation of land revenue. So the question of the borrowers being put to any humiliation does not arise. I do not think that the honourable mover is ignorant of the difficulties of the Government either. It happens not infrequently that the debtor fails to pay his instalments when due, and then gets hold of influential persons to bring pressure on the authorities concerned. The honourable member, I think, is aware that we advanced a large amount to one of his colleagues for the purpose of sinking tube wells on very easy terms. But when the time of repayment by instalments came he was unable to pay in spite of the very easy terms, and asked many respectable gentlemen including the mover himself to approach the Financial Commissioners and others on his behalf. He has since been given further concessions in the way of a larger number of instalments and suspension of repayment for a further period. So the Government are always sympathetic and considerate in such matters. In Muzaffargarh, Dera Ghazi Khan and other districts also where the zamindars could not pay owing to the failure of crops, or other reasons, recovery was postponed where necessary.

I should also like to say a few words about the honourable member's suggestion that we should approach the Government of India with a request that they should charge a lower rate of interest on loans advanced to provinces. It is not difficult to anticipate the reply which we would get if we followed the honourable member's suggestion. It would be somewhat on the following lines "Government of India has to borrow money in the open market to finance the provinces. If we borrow it at 6 per cent. how can we afford to accept a lower rate of interest from you?" So my answer to the honourable mover's suggestion is this that if the Government of India are able to borrow money at lower rate of interest they will charge us also a lower rate and we in turn will be able to reduce interest on loans advanced to zamindars.

In conclusion I wish to assure my honourable friends once again, that the policy of the Government towards the zamindars will continue to be sympathetic as it has been in the past. If at any time it is found necessary to provide more money for advances and loans under this head, I am con-

fident that there will be no difficulty in securing additional funds from the Finance Department.

Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural): Sir, I rise to support the motion of Sardar Habibullah. There are one or two points specially which I would like to mention. There are two ways left for the zamindar to save himself from the clutches of the old institution of *sahukars* or *bania*; one is the co-operative society and the other is the *taccavi*. On the former question I had an occasion to speak in the course of the general discussion of the budget and I do not want to repeat my arguments. Suffice it to say that they have done more harm than good to the zamindar.

The only hope is in the raising of *taccavi* loans. The rate of interest on these *taccavis* is very high and I will quote one or two instances to prove that it is so. Unless it is lowered, I do not think there is any hope of our prosperity and of our being able to compete with foreign countries which are carrying on cultivation with the help of machinery. We cannot compete with the foreign countries even at our own ports. What is the reason? The reason is that they clear up vast pieces of land in a short space of time during which we can do only a few acres. They can afford to till the land with machinery and they have money to buy that machinery. We cannot buy machinery, because we have no capital. In order to have capital we need to raise a loan, and we can only raise a loan if the rate of interest is reasonable. Unless we can raise a loan at a reasonable rate of interest, there is no hope of our being able to compete with other countries in this industry of agriculture which is the only industry known to our country. One advantage which the Revenue Department has over the *sahukar* is that it has got facilities in the way of realisation of these *taccavis*. These *taccavis* are realised as arrears of land revenue which means that a man can be put in prison for non-payment and also there is no need of going through that long and costly process of litigation as in the case of the *sahukar*, where one has to spend court-fees, engage some lawyers, arrange for witnesses, and after all if one gets the decree there is no hope of realisation in the execution proceedings which means warrants of arrest. But when Government goes to realise the *taccavi* as arrears of land revenue, I do not think the poor zamindars can escape. Therefore in view of this facility of realisation I think Government should advance loans to us at a much lower rate than it does at present. That is one reason why Government should reduce the rate of interest.

There is another reason which is important. I will give another example. Suppose I get Rs. 500 as loan for sinking a well on my land. One well ordinarily is sufficient to irrigate, say, 30 acres. The land on which the well is sunk is either *banjar* or *barani*. If it is *banjar*, no *parta chahi* or fixed land revenue is paid for it. If it is *barani*, a nominal rate, as compared with *chahi* is paid per acre, say annas twelve or annas eight per acre, varying in various districts. When a well is sunk *riyati pata* is granted for twenty years. After that, land is assessed neither as *barani* nor as *banjar*. It is assessed as *chahi*, the rate varies from Rs. 2-8-0 to Rs. 3-8-0 which means it gives an enormous benefit to the Government at that rate. Government which originally charged that land as *barani* or *banjar* now is charging as *chahi* which means an immense gain to the Government.

[Ch. Riasat Ali.]

When the Government also has got a share of the benefit, I do not see any justification for Government getting any interest on the money which it gets back. In view of what I have just explained Government should not charge interest. It is also known that in some districts the canals have done more harm on account of the rise of water level.

Mr. President : May I request the honourable member to speak to the motion ?

Chaudhri Riasat Ali : I am speaking to the motion. I am pointing out that even with the help of the canals the zamindars have not benefitted and that therefore they begin to sink wells. Unless the rate is lowered we cannot have any capital and consequently we cannot have improvements of our lands. With these few remarks I wish to support the motion moved by my honourable friend, Khan Bahadur Sardar Habib Ullah.

Mr. D. J. Boyd (Financial Commissioner) : The Honourable Revenue Member has, I think, answered all the points made in the speech of the honourable mover of the motion. There are only one or two points to which I wish to draw the attention of the House. The Honourable Revenue Member himself brought to the notice of the Financial Commissioner, and the Revenue Member of the time the difficulties that were experienced in obtaining *taccavi* loans. Instructions were issued and I think it was in consequence of the efforts of the Honourable Revenue Member that I was asked to revise the standing order on the subject of *taccavi*. It was revised as far as possible on the lines of making it easy for the zamindar to get loans and an attempt was made to defeat the underling who took his bit out of every loan that was advanced. I must confess that defeating the underling is a herculean task. It is almost impossible unless there is a thoroughly responsible officer present at every transaction. But we did what we could, especially to make the loans more easily available at times of scarcity. The old practice of distribution was reformed and the powers of various officers down to naib-tahsilcars were increased. This was all done with the intention of making the path of the borrower easier. With regard to the attempts to defeat the exactions of the underlings, I might perhaps mention at least one case that came recently to my notice. In the Rawalpindi division when the Commissioner was on tour he happened to hear of a bribe having been taken in connection with the grant of *taccavi* loan. The Commissioner himself at once made a complaint to the Deputy Commissioner with the result that the Deputy Commissioner on enquiry dismissed the official to blame. That was the action taken when the illegal exaction came to notice.

The Honourable Revenue Member also informed the House that there never would be difficulty in getting as much money for *taccavi* loans as is demanded. I can endorse that statement after 32 years of experience in revenue work. I have never got a case where a district officer asked for more money for *taccavi* without getting it. What is more, I can remember having sent as Commissioner extra grants by telegram whenever the Deputy Commissioner asked for them. I think the honourable members may rest assured that money will always be available when the demand is made. (*Hear, hear.*)

There is another matter that I think should be brought to the notice of this House, and that is the enormous amount of *taccavi* loans that are written off by Government every year. The revised estimate for the current year is Rs. 8,60,000. On one item of advances to agriculturists, to wipe off over 8 lakhs of rupees is a considerable effort and makes a definite impression upon the provincial finances. The provision for the next year is 5½ lakhs and I understand that by the end of the next year if we estimate that these 5½ lakhs are used, the total *taccavi* loans wiped off in four years will be 25 lakhs of rupees. I think that that is sufficient evidence of Government's generosity in the matter of loans for agricultural purposes.

The last speaker remarked, at least I understood him to remark, that in his opinion loans frequently did more harm than good. That, to some extent, is my opinion also. I am not at all sure that our liberal policy in wiping off agricultural loans has been wise in the interests of the agriculturists. If a man knows that there is a very fair chance of getting money for nothing, he is going to take it, and this is not good for him. It is much better for him to learn to cut his coat according to his cloth. He should only borrow money when he has the prospect of repayment and not with the prospect that he will be let off when the time for repayment of the debt comes. I am not at all sure whether it would not be wiser to make more liberal remissions in other directions rather than in the direction of loans.

With regard to the last speaker's remarks on the rate of interest which he considered too high, we have just heard that the rate has been reduced to 6½ per cent. from 7½ per cent. in the last few months. This reduction will be a distinct advantage to the agriculturists and it only represents one per cent. more than the cost of the loan of the Punjab Government, that one per cent. being for the cost of administration. The last speaker said that owing to the high interest on loans the zamindars were unable to buy modern agricultural machinery and compete with foreign countries. Is he not forgetting the facts obtaining in the Punjab? How many agriculturists have got holdings which are of sufficient size to justify the purchase of modern machinery? Very few indeed. And if the speaker thinks that agriculture machinery will necessarily bring affluence I would refer him to the Honourable Minister for Agriculture who has some experience of the matter. I am afraid the average holding in the Punjab is too small to make the purchase of agricultural machinery any good (*Interruption*). If co-operation should develop as is suggested I may however assure you that Government will help as much as possible with advances for the purchase of agricultural machinery.

One other matter deserves answer and that is the remark of the last speaker with regard to the land revenue levied on *chahi* land. He remarked rightly that if land which is irrigated from a new well was previously *banjar*, then for the time of settlement it will pay no land revenue whatever. That is normally true. Normally *banjar* land pays no land revenue and if it becomes irrigated during the course of settlement it pays no assessment whatever on the fixed system of land revenue. If it is *barani*, it continues to pay the *barani* rate. But he objected to the *chahi* rate being put on it at the next settlement. I am not quite sure whether this point is relevant in a discussion on *taccavi* loans, but as this point was permitted to be raised, perhaps I may be permitted to answer it. The present rules with regard

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to protected leases on new wells provide that for a period sufficient to enable the sinker of the well to recoup twice the capital cost of the well, Government levies no extra land revenue whatever. The *barani* rate only is charged for a sufficient period to permit the cost of the well being recouped twice over. I cannot see that there can be any reasonable ground for not levying enhanced assessment after that period. I know from personal experience that in other countries if a tenant makes an improvement of that kind the landlord charges a higher rent in a very much shorter space of time. (Cheers).

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): I rise to support the motion under discussion. If you look at the budget in regard to this item, you will find that the loans comprise five classes. The first class is advances to cultivators in which is included the loans under the Land Improvements Loans Act of 1884. As has been said by previous speakers, this *taccavi* is always taken for improving the quality of the land and what trouble people undergo to get this loan has already been described by my honourable friend from Gujranwala. I want to place before the House another point, and it is this, that the *taccavi* loan is very much reduced and is almost nil in these days. A few years ago when I was at Jullundur the Financial Commissioner wrote an order that no *taccavi* should be granted in the Jullundur and Hoshiarpur districts, because these people are sinking so many wells that the level of water has been very much brought down and shortly there would be no water remaining. This is very strange indeed. If an agriculturist wants to improve his land, why should such theories be set up? In the Ambala district there is no such question. But there no *taccavi* loans are granted and the excuse is that there is no money with the Government. When there is a proper head provided for it there ought to be money for the purpose. It is rather funny indeed that wherever the interests of agriculturists come in money is not available and where there is extravagance, as I pointed out in my budget speech the other day, money is forthcoming somehow or other. Now, I can cite examples from personal knowledge in the Ambala district that people are granted *taccavi* not in one lump sum but are promised in instalments. For instance, if a man applies for a loan of Rs. 500, he is given Rs. 200 for the first time and he is told that the next instalment will be given when money becomes available. The man employs some labour, purchases bricks and spends the whole of the loan that he gets in the first instance and sometimes spends from his own pocket too and then when he wants more he is told that there is no money at present. At that time rain sets in and whatever the poor man has done towards sinking the well is undone, because it has not been completed with the result that he is put to further trouble. He has to hanker after more money and perhaps after a year he gets another Rs. 100. This is indeed a very strange way of helping a zamindar. While there is provision in the budget to guard the interests of the agriculturists and while it is to the interests of Government to help the agriculturists, no serious effort is made to meet their difficulties.

The zamindars are groaning, crying and doing everything possible but no heed is paid to them. Even when the money reaches the tahsil, it is very difficult for the poor zamindar to get it. There are so many hungry

wolves staring at him and trying to devour as much as possible from the sum due to him, so much so that the poor fellow often fears to come to the tahsil and many a time he thinks it is better not to dig his well than to fall a prey to these hungry wolves. My honourable friend referred the other day to the officials who may be tempted to such things. Another bad thing is this. Even private men are living at the expense of the poor zamindar.

Mr. President : The honourable member will please speak to the question.

Chaudhri Allah Dad Khan : I am trying to point out that in getting the *taccavi* people have to undergo so many difficulties.

Mr. President : But the motion relates to the insufficiency of *taccavi* funds.

Chaudhri Allah Dad Khan : I say the funds are already insufficient and even the small amount that is given to the zamindar is being spent in other directions. If there are sufficient funds and they are being wasted that may be irrelevant. I have pointed out sufficient defects and even if I do not mention this point it does not matter. There is difficulty both in the grant of and in obtaining the *taccavi* loans in the tahsils.

Mr. President : We are not concerned with the method and process of granting *taccavi*.

Chaudhri Allah Dad Khan : The point is the amount of *taccavi* taken by the zamindar. All these points are in my opinion relevant. The *taccavi* is hedged in with so many defective processes and the result is that the agriculturist does not get any benefit out of it.

Mr. President : I request the honourable member to read the note of the mover of the amendment. The object of the motion is—

To urge the insufficiency of funds provided under this head.

Chaudhri Allah Dad Khan : "And to lower the interest rates." I have already stated that the amount provided for this purpose is very small, for the purpose the zamindars have in view and I want to say that whatever is ear-marked for them is not even rightly spent.

Mr. President : The House is not concerned with that question at present. Only the insufficiency of *taccavi* funds should be discussed.

Chaudhri Allah Dad Khan : In an argument we can bring in additional points. Otherwise that the money provided is insufficient can be stated in two words. But we must point out by various arguments how it is insufficient, why it is insufficient and so on.

Mr. President : What the mover wanted to criticise is the insufficiency of *taccavi* funds.

Chaudhri Allah Dad Khan : It is not enough for a judge to say that he has passed a sentence of imprisonment or fine. He must prove his case by arguments. When I am arguing a point I can bring in additional points and make them apply to the question under consideration.

Mr. President : I have given my ruling.

Chaudhri Allah Dad Khan : This provision of *taccavi* is a most useful provision both for the Government and the zamindar. Therefore there ought to be more money provided for this purpose. Even if you starve the other heads there must be more money provided under this head, because it increases the sources of income to the Government. When a man sinks a well Government charges a higher rate on the land. The Government should try its best to secure more money to itself. This is so far as the loans under the Land Improvements Loans Act is concerned. There is the other kind of loan under the Agriculturists Loans Act and it has become almost rare if not altogether extinct. Previously there used to be given loans for purchase of bullocks, seed, etc. No one hears of this thing at present. (*An honourable member : Question*). When the crop is harvested the man spends the whole of it for paying revenues and when the time for purchase of seed comes, the poor fellow comes to grief. Nothing is given under this head now. (*Interruption*). I hope the honourable Financial Commissioner for Development will let us know how much money is earmarked under this head in the coming year, that is for loans for purchase of bullocks, seed, etc. I dare say that very little, if at all, has been set apart for these purposes. The Act was not made for nothing. It was made with the intention of helping the zamindar, but the authorities do not take any heed of it. The zamindars remain as they are and the result is that they go to the *bania* for money to purchase seed. The *bania* lends money at 25 or 30 per cent. interest and he also insists on the purchase of his own deteriorated seed. The poor zamindar has nothing else but to purchase the seed from the *bania* at that high rate of interest and he finds at the time of harvest that the crop does not pay well owing to the bad seed. He has to come to this sorry plight owing to the negligence on the part of the Government officials. Where no relief is provided under any enactment, the Government puts forward the excuse, "there is no law, how can we give any relief"? But here is a provision already enacted but still it is not followed. I put this question: how much money is spent every year under this head? I say from my experience that only the loan under the Land Improvements Loans Act is given and that too with great difficulty, but the other kind of loan is not at all granted. I do not blame the Government. Perhaps no one has drawn the attention of the Government to this thing. It is already on the statute and every civilised government sets apart a portion of money for this purpose. (*An honourable member : Question*). This is more important than the other loan, because if the man has not got seed, even if he has sunk a well, there is no use, all the labour is lost. This kind of loan has not been given to the agriculturists for a number of years.

The Honourable Captain Sardar Sir Sikander Hyat Khan : It is not correct.

Chaudhri Allah Dad Khan : The Honourable Member can reply when he makes his speech. I have experience of a large number of tahsils, not merely one or two tahsils.

The Honourable Captain Sardar Sir Sikander Hyat Khan : You cannot make a mis-statement of facts in this House.

Chaudhri Allah Dad Khan : You can reply when the opportunity comes. I shall be very glad to be corrected. By negligence in this direc-

tion, I say the zamindars suffer more seriously than by anything else. But there is a serious offer to improve their condition by co-operative societies.

Mr. President : The general condition of zamindars is not under discussion.

Chaudhri Allah Dad Khan : What I want to say is that the other provisions intended for the improvement of the zamindar are neglected and I am talking of the objects which can be gained by granting this kind of loan.

The Honourable Captain Sardar Sir Sikander Hyat Khan : It is for that reason that the amount is provided in the budget.

Chaudhri Allah Dad Khan : Whatever is not spent is taken to the next year's budget. You can also provide more money by appropriation from other heads. That is my point. That is very important.

The Honourable Captain Sardar Sir Sikander Hyat Khan : The honourable member was not here when I informed the House that whenever there was a genuine need we always provide the money.

Chaudhri Allah Dad Khan : With these words I support the motion under discussion.

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (*Urdu*) : Sir, while supporting the cut under consideration I would like to make one observation. The Honourable the Revenue Member has said that we get these loans from the Government of India at a fixed rate of interest. Consequently this rate of interest cannot be lowered. I would suggest that the provincial government should themselves float loans and if they do so, I am sure that in view of the present general depression they will be able to raise loans with interest at 4 or at the most 4½ per cent. If that is done I hope the object of the honourable mover will be served and the zamindars will also get some relief. With these words I support the motion now before the House.

Khan Bahadur Sardar Habib Ullah : After the assurance given by the Honourable Revenue Member and the Financial Commissioner, I do not want to press my motion. (*Hear, hear*).

The motion was by leave withdrawn.

Mr. President : Question is—

That a sum not exceeding Rs. 9,54,400 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 1934 in respect of Loans by Provincial Government (Reserved).

The motion was carried.

STATIONERY AND PRINTING (TRANSFERRED).

The Honourable Malik Sir Firoz Khan Noon (Minister for Education) : I beg to move—

That a sum not exceeding Rs. 69,000 be granted to the Punjab Government (Ministries of Education, Agriculture and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1934 in respect of Stationery and Printing (Transferred).

The motion was carried.

STATIONERY AND PRINTING (RESERVED).

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member): Sir, I beg to move—

That a sum not exceeding Rs. 8,88,800 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 1934 in respect of Stationery and Printing (Reserved).

The motion was carried.

COMMUTED VALUE OF PENSIONS (CAPITAL EXPENDITURE).

The Honourable Sir Henry Craik (Finance Member): Sir, I beg to move—

That a sum not exceeding Rs. 6,66,900 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 1934 in respect of Commuted Value of Pensions (Capital Expenditure).

The motion was carried.

SUPERANNUATION ALLOWANCES AND PENSIONS (RESERVED).

The Honourable Sir Henry Craik: Sir, I beg to move—

That a sum not exceeding Rs. 39,03,700 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 1934 in respect of Superannuation Allowances and Pensions (Reserved).

The motion was carried.

FAMINE.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member): Sir, I beg to move—

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 1934 in respect of Famine.

Mr. President: The motion 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 1934 in respect of Famine.

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

That the total grant be reduced by Re. 1.

It is not my habit to exaggerate things and therefore I may assure the House that whatever I say on this motion is but a very light picture of the whole thing that I want to draw. What I mean to urge upon the Government by putting this motion is to provide more funds in the budget so as to be able to give better relief to the famine-stricken areas. I am sure that like the previous question it will be stated that whenever there is any such demand Government can always provide funds. I know perfectly well that such things can be done. But it is different to provide funds in the beginning in the budget. Sir, knowing the conditions of the poverty-stricken areas particularly the *barani* areas like Hissar, Muzaffargarh, Mianwali and so on every member of the Government and people living in these areas know what havoc these famines have worked in these parts. The

Financial Commissioners with their thirty years of service in this province know each and every district very well and they can bear me out that in certain areas the conditions remain practically famine-stricken always. I know perfectly well that certain relief works in connection with famine were started in the Hissar district lately. The Financial Commissioner tells me that when he went round that part of the country he was told and he himself saw certain things that required his particular and immediate attention and I am glad that he did order some sort of relief work to be started in that area and certain amounts, I think in the beginning it was Rs. 20,000 and later it was increased to Rs. 40,000 were being spent. If the Financial Commissioner himself had not gone there, the local officers who are always shy and nervous would not have asked for the money.

The Honourable Sir Henry Craik : No, no.

Khan Bahadur Sardar Habib Ullah : The previous speaker who has been in the department for a long time explained that it is very rarely that the local officers demand money and when the local officers do so, the higher officers say 'O, you always ask for money,' and unless and until they see things for themselves they do not feel satisfied. Moreover the Finance Department with our very able officers at the head, I must say, are very vigilant in the matter of guarding the finances of the province and they are very conservative in allowing funds for such purposes. I will therefore suggest that liberal funds should be provided in the budget beforehand and efforts should be made by circular from the Government that wherever such things occur wherever there is any such necessity to provide relief in the areas which are poverty-stricken by the failure of monsoon or certain other causes, they should not hesitate to ask money and that Government will very readily supply the money to the local officers. I need hardly say how these poverty-stricken areas are suffering. The other day I said a few words in connection with the Hissar district of which I have a little knowledge, but I happened to be the other day in the district of Muzaffargarh and Dera Ghazi Khan and I saw that the conditions there were just as bad as in the districts of Hissar and Rohtak. It may perhaps be considered an exaggeration but I can safely say that it has very often happened that on account of the poverty the people have been obliged to sell their daughters to get a little piece of bread and food for themselves. It is really a great blot on this civilized Government and on these reformed Councils and with all the force that I can command I respectfully submit that such things should not occur. I find also that people are dying of hunger. It may be said, "how can people die of hunger?" but I tell you that your records may not show this, they may show that a man died of fever or of other ailment, but this fever or ailment was all due to want of food in these poverty-stricken areas like Hissar, Rohtak, Muzaffargarh and Mianwali.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Mianwali and Muzaffargarh are not poverty-stricken as compared with Hissar and Rohtak.

Khan Bahadur Sardar Habib Ullah : That may be so. Spending Rs. 40,000 is absolutely ridiculous. The other day in this very House it was said that 5 pice per day is the average wage of a labourer and 3 pice for a woman and two pice for a child. If the people of that area can live on that

[K. B. Sardar Habib Ullah.]

meagre and very insufficient and small amount of money, how easy and economic it is for the Government to save thousands of persons from the clutches of famine by spending some more money. As a matter of fact, Government does not lose. Some sort of public work is generally started in such areas like a road or a tank or any other public utility work, which of course is a good help to the famine-stricken areas. In no other country have I heard, at least as far as my knowledge goes, excepting perhaps in China, of people dying of mere hunger.

The Honourable Sir Henry Craik : No, no.

Khan Bahadur Sardar Habib Ullah : This should be the bounden duty of every one here, my zamindar brethren as well as Government to save these people from dying of hunger and I submit that this amount of Rs. 2 lakhs or Rs. 1,50,000 is absolutely insufficient. I again urge that this is not the right policy. The right policy would be to provide more funds in the beginning and if they are saved well and good, but it should be the duty of the Government and the Finance Department to spend that money and it should be the duty of the local officers to let Government know in time, in fact local officers should be encouraged to let the Government know in time the needs of a particular area. With these words I beg to submit this motion to the House.

Mr. President : Motion is—

That the total grant be reduced by Re. 1.

Mr. D. J. Boyd (Financial Commissioner) : Sir, the last speaker said or implied that but for my visit to the Hissar district test works might not have been started there. I would like to remove that misapprehension because it was in consequence of the report of the local officers that I went to Hissar to see things with my own eyes and satisfy myself whether relief was needed or not and what kind of relief works should be started. So the local officers took the initiative in that case and there is no reason to think that they will fail to take the initiative in any other case. The honourable speaker said that subordinates were afraid to ask for money. Now there are two matters in which subordinates are never shy of asking for money. One is for *taccavi* and the other is famine relief (*hear, hear*). Luckily in this province famine relief is rarely needed except in the south-eastern corner, in Hissar, Gurgaon and part of the Rohtak district. There was a time not so very long ago when we had real famine in the Punjab but thanks to the beneficent activities of the Irrigation Department and the imagination of at least one of my predecessors, the province is now so covered with a net work of canals that real famine has been abolished (*hear, hear*). This feat of the Government has never received the recognition which it deserves. My attention was drawn to it very forcibly by an excellent pamphlet on Irrigation in the Punjab written by an American professor and if any honourable member cares to see it, probably my colleague will be able to lend him a copy.

Anyway we have now got 11 million acres out of the 30 million acres of cultivated land in this province protected by irrigation. That is no mean feat (*hear, hear*), and the canal colonies provide not only food for those who live within them but employment for those outside. Already a very considerable number of people of the Hissar district who are suffering under the

scourge of scarcity, a very considerable number of them have emigrated to canal irrigated tracts where they are able to find subsistence for themselves, their families and their flocks. But it is not possible for everybody to leave his home. Many men have to look after young children and old people, and to look after their homes. The test works that have now been opened are meant for their benefit.

At this stage the condition of the test works and the money paid there as wages should be clearly realised by members. At test works a low wage is paid in order to test the need for relief. I remember, probably non-official members also remember, that in 1921 when the price of wheat rose in some parts to something like Rs. 10 a maund, practically fabulous price, test works were opened in Hissar and I think also in Gurgaon, but they had to be closed, I think, within about three weeks because the people were not attracted to them. They were able to live without the small wage that is given at test works. That wage is calculated on the amount of grain which is sufficient to keep an able-bodied man in a proper state of health. For a digger in the Hissar district it is five pice and this, I think, can be proved scientifically to be enough to keep a man in a state of health. It is not generous, far from it. It is not meant to be generous. It is meant to test the man's need of relief. Once we are satisfied by the numbers that come to the test works that real hardship exists, more than hardship, that people are hungry, then famine works will be opened at which the scale of wages will be more liberal and allowances will be made for dependents. We hope sincerely that that stage will not be reached till after the harvest has been cut. It is very much better for the people that they should leave artificial and I am sorry to say useless works like digging tanks and go out into the fields and do the work to which they are ordinarily accustomed and earn their wages from private employers. That is much better for their morale and it is the correct policy. I have already said that I do not think it necessary for any one in this province at this time of the day to die of hunger. I do not say that nobody ever dies, but I very much doubt whether the proportion of persons who die of hunger in this province is as high as that of those who die of hunger in England. It is not merely a question of the harvest. It is a question of un-employment and we have the same problem in every country. Real famine does not exist in the Punjab any longer, I am glad to say. With regard to finance for famine works, as the budget shows, Rs. 2 lakhs have been provided for famine relief in the coming year. This amount has to be provided every year. I think if the honourable member will look at the Memorandum on the budget he will find that under schedule 4 of the Devolution Rules the Local Government is required to make an annual provision of Rs. 2 lakhs from its provincial revenues for expenditure on famine. Of that amount of Rs. 2 lakhs, half a lakh has to be transferred to the Famine Relief Fund. That fund at the present moment stands at Rs. 12 to 13 lakhs. The honourable member may rest assured that apart from the lakh and-a-half that is provided immediately for famine relief in the coming year there is behind that, Rs. 12 to 13 lakhs earmarked for famine relief. Surely ample provision has been made. (*Hear, hear and Cheers*).

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): The honourable member for Lahore has already given facts and figures to show that the amount which has been

[Ch. Allah Dad Khan.]

ear-marked for famine, is insufficient. If these facts and figures are not sufficient I wonder what else is required. The honourable member has stated the condition of those who are suffering under famine and the sorry plight to which they have been reduced. Those who have seen the Hissar district know full well that there is a good deal of land possessed by the zamindars there. But for several years there has been no crop, and crop after crop fails if not totally at least to a greater extent than elsewhere in the province. For some ten years at least there has been hardly one favourable crop in the Hissar district and people have been reduced as a result to a very miserable condition. They are compelled to leave tilling their lands and take to working on roads and doing similar work. Some have disposed of their cattle, others of their houses and many of them have gone to money-lenders. The whole district is now one sorry spectacle of devastation and horror brought about by famine conditions. With all this it is very surprising to hear from Government benches that there are no facts and figures. If these are not, I fail to know what facts and figures will suffice to move the Government to ear-mark more money in this direction. One point which Government should keep well in view is, as I have already said, that in Hissar there is a good deal of land in the hands of zamindars, so much so that even the population of all the villages in the district is not sufficient to provide the labour necessary to bring the entire area under cultivation. A good deal of land is already lying fallow and has become *banjar* for a long time. If this state of things continues people are sure to go on emigrating from the district and there would be left hardly any to till the land. Nor would people from outside choose to come to the district. I know personally of a man who owns a good deal of land in that district and who was offering to sell it at less than a rupee per *bigha*, and a *bigha* there, it should be noted, is as much as thrice an ordinary *bigha* elsewhere in the Punjab. If the present famine conditions continue the price of land will be reduced still further. This fact should appeal to the Government for, if the zamindars leave the district and there is left no one to till the lands, the Government will suffer a serious loss of revenue. There should therefore be a serious effort made to save the district from the grip of famine. During famine days things unheard of come to pass. When people are pressed by hunger they do not know what they do. The worst crimes are perpetrated and are likely to be increased in the district. I think the facts and figures placed before Government are quite sufficient to move the Government. I do not say nor has my honourable friend said, that Government have not moved at all. They have, but more effort is required and what is proposed is that Government should make more effort. We are not finding any great fault with the Government for we realise in the first place that Government cannot look to the needs of any one district more than its share deserves, and in respect of Hissar, Government have done more than it deserved. But I contend that when the condition is so serious that men are dying, it is not the time to think of the share of attention that the district deserves. Government should freely move in order to save the people from extinction. Not only will they be saving a source of income to themselves, to their purse, to the general exchequer, but they will be doing an act of kindness and humanity which will last for ages. I am confident that this famine will not last for ever. This sort of famine has not existed in the Hissar district before. On

previous occasions at least once in one, two, three or four or even ten years there was one good crop and people were kept alive. But now for some years the Heaven has become opposed to these people and the wrath of Heaven has heavily fallen on Hissar. The poor district is on the verge of extinction and a serious effort to save it could be made only if more money were ear-marked for it. Government can very well say that the district cannot claim more than its due share of attention. There is, in such a case, one other alternative and that is by raising subscriptions from the more favourable districts. Subscriptions for purposes of this kind are not unheard of. When there was an earthquake in Kangra funds were raised from all over the province. The condition of Hissar is worse than that to which the earthquake had reduced Kangra on the previous occasion. For verily at that time the people in Kangra saw the calamity before their eyes while the devastation in Hissar is a sneaking one, one which people had no chance to foresee. My honourable friend was perhaps exaggerating when he said that people were actually dying. If they are not dying now I say they will die in a very short time and the district will then become desolate. Up to this time perhaps they have been managing with great difficulty living on starvation meals. But how long can they go on in this way? A fund should therefore be raised for the relief of this district. This district is not the only one to require the attention of Government, for, some parts of the Mianwali district are very near famine conditions though actual famine cannot be said to exist because there has been some kind of crop during the last *kharif*. But the crop is insufficient and the people are in as bad a condition as those in Hissar. A friend of mine here tells me that people are dying even there out of starvation. (*An Honourable Member* : No.) The Honourable Member may deny it but the man who lives there cannot be contradicted. If there is doubt there should be a visit paid to the district. More money should therefore be ear-marked for such districts and if there are no funds a fund should be raised by voluntary subscriptions or by loans if possible. A loan raised for this purpose will not be criticised by any one whether a loyalist or otherwise. For, one life saved would be worth more than all the money spent—

نیر زد کہ خود نے چکد ہو زمین

بدقسمتی کہ ملک سراسر زمین

With these remarks I trust that sufficient facts and figures have been placed before Government to induce them to accept the motion.

Khan Bahadur Captain Malik Muzaffar Khan (Mianwali, Muhammadan, Rural) (*Urdu*) :

As during the course of this debate mention has been made of my district I, as its representative, take this opportunity of bringing to your notice a few facts regarding it. The honourable the Financial Commissioner has said that at present the country is not famine-stricken. His statement might be true so far as rest of the country is concerned, but so far as I know the conditions prevailing in my constituency they do not justify these remarks. In order to show how the people are starving in the locality to which I belong I will have to read only a few lines from this letter which I received a few days back from a constituent of mine. This gentleman who had written this letter belongs to a village named Shahani in the Bukhar tahsil. He has not only written this letter on his own behalf but also on behalf of the rest of the population of that village. His name is Ghulam Qadir Shah, son of

4 r. m.

[K. B. Capt. Malik Muzaffar Khan.]

Pir Sher Ali Shah, Syed. The letter which he has written is a lengthy one. I need not read it from one end to the other. I will read a few lines. They are :—

”اے رمضان شریف میں اکثر اموات فاقہ سے واقع ہوئی ہیں کہ غریب نادار مسلمان غلہ نہ پا کر ساگ و شلغم اُبال کر روزہ رکھتے تھے اور بوقت افطار روزہ کوئی غلہ وغیرہ نہ ملنے کی وجہ سے بیمار ہو کر مر جاتے تھے کیونکہ بوقت افطار وہی شلغم ہی انکی خوراک ہوتی تھی۔ نیز مال مویشی بوجہ قلت بہوہ و گھاس مر چکے ہیں اور سر رہے ہیں۔ ہندو اسوقت نزدیک مسلمانوں کو صرف غلہ نھوں و غلہ تربو ز دیکر غلہ گندم بہ سود دیوڑھی وغیرہ لکھوا رہے ہیں۔ کچھ کے چاہات بوجہ دریا کے ات چکے ہیں۔ قابل آب کشی نہیں رہے۔“

I myself wanted to make an enquiry whether all that is mentioned in the letter is true, but as I had no time, I could not do so. The Government if they wish can enquire into it through the deputy commissioner or the tahsildar. In any case even if we admit that the statement of the Financial Commissioner with regard to the famine is true, does it mean that we should not prepare ourselves for any case of emergency? We cannot be sure about the crops of the *barani ilaqas*. We cannot say whether the crops in the areas which depend for watering on rainfall will mature or not. Therefore, in order to meet emergencies we must set apart a larger sum for the help of the zamindars. Both the Financial Commissioners fully know these things and, therefore, an effort on my part to bring them to their notice would be mere waste of time of the House. With these words, Sir, I resume my seat hoping that the Government will see their way to accede to my request.

Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural): Sir, as remarked by the honourable the Financial Commissioner it is true to some extent that there is no real famine now in the province. Government has always been alert to its duty to do whatever it can in this respect. But what we wish to impress is that we want it to do more, because we need more at this hour. People are now, like a log of wood eaten up inside by white ants. They appear as if they are not famine-stricken, but in reality they are, on account of low prices, on account of various famines in the *barani* tracts, the various diseases to crops and on account of shortage of canal water in tracts irrigated by the canals. These reasons have been in existence unfortunately for the last 2 or 3 years. It was mentioned in the opening speech made by the Honourable Finance Member that the figures of income even of Government are not so high as they were before. Then what to speak of the poor agriculturists, the people living in rural areas? What I want to impress upon the Government is that more provision in this respect is far more essential than restoring the 5 per cent. cut in salaries and I want to request that more money should be ear-marked under this head of famine. With these remarks I support the motion of Sardar Sahib.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) (*Urdu*): Sir, either the honourable members did not listen to the speech of the Financial Commissioner or if they did, they have not given it their full attention. Had they done so the honourable members

from Ambala and Mianwali would not have found it necessary to speak and emphasise the necessity of providing more money for famine relief. Estimates are prepared in view of the expenditure likely to be incurred in respect of any particular item. So far as this particular item is concerned it is obligatory for Government to provide a specified amount for famine relief every year. If this amount remains unspent it is added to the Famine Relief Fund. If a larger amount is required during the course of the year we can always draw from this fund. I may explain that we have at present Rs. 12 lakhs in the Famine Relief Fund. These 12 lakhs of rupees have been obtained by transferring the unexpended portions of the provision under the Major Head Famine to this fund. We spent 6 lakhs of rupees in the districts of Mianwali and Ambala two years ago, although the amount provided for was not larger than that in the budget for 1933-34. So the fears of the honourable members are quite unfounded. (*An honourable member*: If you have got money, why do you not spend it?) We do spend it, whenever there is need for it. As I have already mentioned the Government gave relief to the extent of Rs. 6 lakhs in the year 1931-32. If we find that the provision for this item is not sufficient we can always indent for more money out of the reserve which has been created for this very purpose. As regards remission of *taccavi* loan may I remind the honourable members that we gave relief to the extent of 22 lakhs of rupees by writing off this amount. Out of these 22 lakhs 16 lakhs went to the Ambala division alone. The remaining 6 lakhs were spread over the rest of the province. The honourable members' fears that the Government will not come to the help of the zamindars, should the necessity arise again, are quite unfounded. Government has always been and will continue to be sympathetically disposed towards the zamindars.

Then, the honourable member from Gujranwala said that the zamindars had suffered a good deal on account of the slump in prices. There is no doubt whatever that the hardships of the zamindars are mainly attributable to the present low level of prices. There is no denying the fact either that every zamindar has been hit hard by the economic depression. This, however, does not mean that there is scarcity of food. It only shows that there is not sufficient money in the country. The zamindars' trouble is not that they do not get enough food. Their trouble is that they find some difficulty in purchasing other necessities of life because the prices of the latter have not fallen to the same extent as the prices of the produce of the land.

Khan Bahadur Sardar Habib Ullah: I must explain one thing in connection with the remarks that I made as regards the 5 pice wages. I never meant that it was too low a wage. What I meant was that by spending 5 pice only Government can save one man from hunger. It is a small item. If some more money can be spent in that respect, it will be a very great help to these poverty-stricken people. After the assurance given by the Honourable Revenue Member, I beg to withdraw my motion.

The motion was by leave withdrawn.

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 1934 in respect of Famine.

The motion was carried.

HYDRO-ELECTRIC SCHEME (CAPITAL EXPENDITURE).

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) : Sir, I beg to move—

That a sum not exceeding Rs. 62,26,000 be granted to the Punjab Government (Ministry of Local Self-Government), to defray the charges that will come in course of payment for the year ending the 31st of March 1934 in respect of Hydro-Electric Scheme (Capital Expenditure).

Mr. President : The motion is—

That a sum not exceeding Rs. 62,26,000 be granted to the Punjab Government (Ministry of Local Self-Government), to defray the charges that will come in course of payment for the year ending the 31st of March 1934 in respect of Hydro-Electric Scheme (Capital Expenditure).

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan Rural) : Sir, I beg to move—

That the total grant be reduced by Rs. 6,00,000.

(Urdu) : Sir, the purpose of this cut as well as of the other cuts of which I have given notice is one and the same. Even the language in which I have couched them is similar. My aim in bringing forward this cut is to press upon the Government the necessity of effecting a reduction of 10 per cent. in the expenditure which it incurs on account of the departments like the Public Works Department, Department of Irrigation and others which from time to time undertake construction works. The Retrenchment Committee had recommended that much saving can be effected in the expenditure of the Public Works Department. Last year many honourable members also laid much emphasis on the same point in their speeches. But unfortunately Government failed to see the reasonableness of their suggestions. We can say that there is only one department, the Irrigation Department in which through the sincere efforts of the Chief Engineer expenses have been cut down to our satisfaction. If the Honourable Ministers and the other officers concerned give a bit of their attention to it, I think there is much scope for economy in the expenditure of the Public Works Department. In my opinion some 15 or 16 lakhs of rupees can be very easily saved. I am the vice-president of the district board of our district. As such I have got experience of the rates at which building contracts are given. Sometime back we decided to give our contracts at rates 10 per cent. less than those of the Public Works Department. We called for tenders. Amongst the tenders which we received there were many which were even for less rates than those decided upon by the board. I would like to place before the House the rates of the locality to which I belong. In my district the rates of the Public Works Department for excavations in ordinary soil is Rs. 4½ per thousand feet while that of the Irrigation Department is Rs. 8 only per thousand cubic feet. This shows that the Public Works Department rates are 1½ times more as compared with the rates of the Irrigation Department. Again, the rate of the Public Works Department for brickwork of the 1st class in lime mortar is Rs. 36 per hundred cubic feet. The rate of the district board and the Irrigation Department for the same work is Rs. 34 per hundred cubic feet. The rates for the superstructure up to 20 feet are Rs. 38 in the Public Works Department and Rs. 36 in the Irrigation Department and also in the district board. As regards rates of B. B. work in cement mortar foundation in plinth the Public Works Department rate is Rs. 60 per cubic feet and the district board's rate is Rs. 54 per cubic feet. The rates

of the superstructure of the same are Rs. 70 in the Public Works Department and Rs. 56 in the district board.

The Honourable Dr. Gokul Chand Narang : These rates which you have mentioned are the rates of the Buildings and Roads Branch. The grant is in respect of the hydro-electric scheme.

Khan Bahadur Mian Muhammad Hayat Qureshi : In the Hydro-Electric Department such works are also undertaken. This department must also be paying for earth digging and carrying it to some other place.

The Honourable Dr. Gokul Chand Narang : But how can you justify the remarks which you have made with regard to the Public Works Department so far as the Hydro-Electric Department is concerned ?

Khan Bahadur Mian Muhammad Hayat Qureshi : As I have already said it is only to save the time of the House. Another important work is that of carrying stones from one place to another. The rates of the Public Works Department per 100 cubic feet are Rs. 2-15-0 for the first mile, for the 2nd mile Rs. 2-10-0, for the 3rd mile Rs. 1-12-0 ; for the 4th mile annas 14 only. The rates of the district board for the same work are, Rs. 2-8-0 for the 1st mile ; Rs. 2-4-0 for the 2nd mile ; Rs. 1-14-0 for the 3rd mile ; annas 14 for the 4th mile. The rates of the Irrigation Department for stone lifting are Rs. 1-12-0 for the 1st mile ; Rs. 1-6-0 for the 2nd mile ; Rs. 1-2-0 for the 3rd mile ; annas 12 for the 4th mile. Similarly there is a difference between the rates for different works. This disparity between the rates of different departments of the same Government is very unreasonable and should not be allowed to continue.

Mr. President : Will the honourable member please point out the items which he wishes to be reduced ?

Khan Bahadur Mian Muhammad Hayat Qureshi : What I mean is this that a reduction of 10 per cent. may be effected in all such expenditure.

Mr. President : Just now demand No. 81 is under consideration.

Khan Bahadur Mian Muhammad Hayat Qureshi : This demand is for Rs. 62,26,000. What I mean is this that it should be reduced by 6 lakhs or thereabout. In the end I hope the Government will see their way to accept this cut, for, by doing so they will be saving a good deal of money.

Mr. President : The motion is—

That the total grant be reduced by Rs. 6,00,000.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) (Urdu) : Sir, I am grateful to my friend Khan Bahadur Mian Muhammad Hayat Qureshi for drawing my attention to the possibility of effecting reduction in the expenditure of the departments mentioned by him. So far as the principle underlying this motion is concerned I quite agree with him. There might be further possibilities of effecting economy. So far as his complaints regarding the high rates of the Public Works Department contracts and the integrity of some of the officials of this department are concerned I am not in a position to agree with him or to disagree with him. Suffice it to say suspicions do exist in the minds of the people both about the integrity of some officials, as well as the rates of contracts given by the Public Works Department. But there is no remedy for it. In my

[The Hon. Dr. Gokul Chand Narang.]

personal capacity as well as in the capacity of a Government member I cannot suggest any way by which a more effective check can be put on the officers who are responsible for the preparation of these estimates against which the honourable members have got complaints. These estimates are prepared very carefully. As the officers of this department know that their department is open to the criticism of this House they try to be very very exact and correct. The estimates prepared by the subordinate officers are first of all submitted to the executive engineers who after examining them forward them to the Chief Engineer. The Chief Engineer also examines them and after finding that they are satisfactory submits them to the Finance Department. The Finance Department examines them most thoroughly. The Finance Department accords its approval only if it finds them satisfactory. What more care can be taken than this? The different rates which were read out by Qureshi Sahib were probably correct. If we admit his statement that the rates of the Public Works Department are high while those of the Irrigation Department are low, how do these rates concern the Hydro-Electric Department? The demand under consideration is for the Hydro-Electric Department. If the officers of the Public Works Department are careless while preparing their estimates, does it also reflect directly or indirectly on the Hydro-Electric Department? I may assure the honourable member that so far as contracts are concerned they are given at the lowest possible rates in this department. (*Interruption*). If the honourable member wants to see the rates he can see them in the lists of the rates. I, as a lay man, can only say this much that every possible care is taken while fixing the rates of contracts in the Hydro-Electric Department. And so far as the rates of other departments are concerned I cannot understand how there can be any reasonable possibility of a mistake in their estimates when so much care and attention is devoted to their preparation.

It is also possible that the contractors whom the Irrigation Department employs for putting earth on the banks of the canals have to dig it and bring it to a place very near to the canal banks, while in the case of the Public Works Department contracts the contractors may have to carry earth to distant places in order to cover roads or to be used for other purposes. I am only guessing the reason of this disparity between the rates of those two Government departments. The Honourable Minister for Agriculture in charge of the Public Works Department will explain the actual reason for the existence of this disparity. (*Interruption*). The Honourable Minister says that their contractors have to bring earth from over a long distance.

Moreover, I am glad to learn from Qureshi Sahib that the rates of the district board of which he is the vice-chairman are considerably lower than those of the works built under the supervision of the Public Works Department. I congratulate him on his conscientious performance of his duties and the keen interest he takes in the public affairs. I wish that members and vice-chairmen of other district boards could follow his example. But as far as his criticism of this estimate of 62 lakhs is concerned, I am not inclined to agree with him. How can you say, I ask, that there is *certainly* a scope for reduction in this sum? If we had budgetted an estimate of 56 lakhs of rupees instead of 62 lakhs, you could have conveniently maintained this opinion and said that it was a wide estimate too, and reduction in it was

possible. So, if you argue in this manner there can be no end to argument. So long as you do not point out specific items of this expenditure in which reduction is possible and state the facts in view of which you would like to effect this cut, I am afraid, I cannot see eye to eye with you. If the honourable member will make a definite proposal after close consideration of all the facts and going into all the details of expenditure I will ask the Chief Engineer to do the needful in this respect. But as yet, I think, Qureshi Sahib himself has not closely examined the details of the expenditure. I assure him that if he brings forward any practical suggestion the Finance Department will give it their close attention. The Government themselves are doing their utmost to bring down expenditure as far as possible. I hope that after the assurance given by me Qureshi Sahib will not press his motion.

Shaikh Muhammad Sadiq (Urdu): My honourable and learned friend who has just resumed his seat has tried to defend his department in his speech. But in spite of his supporting the Government it is obvious that he himself is not satisfied with its working. And we need not wonder at it because when he was an ordinary member of this House he told or rather instructed us that—

Mr. President: What the honourable member is referring to is irrelevant. The motion is that the total grant be reduced by Rs. 6,00,000. The honourable member may, therefore, explain how the proposed reduction can be made. He should not refer to works which are not covered by the demand.

Khan Bahadur Mian Muhammad Hayat Qureshi: May I speak by way of reply?

Mr. President: Certainly, but I would ask the Honourable Member not to go beyond the amendment moved by him.

Chaudhri Allah Dad Khan: May I speak a few words before the honourable member replies?

Mr. President: No.

Khan Bahadur Mian Muhammad Hayat Qureshi (Urdu): Sir, I would have been glad if the Honourable Minister were here to hear my reply to his arguments. The Honourable Minister has not been able to prove that the rates referred to by me in my speech relating to earthwork and super-structure—

Mr. President: Is the earthwork or any building referred to in the budget?

Khan Bahadur Mian Muhammad Hayat Qureshi: There are so many works and buildings referred to.

Mr. President: Will the honourable member please refer me to the items in the budget which relate to the excavation of earth or brick work? If no such works are covered by the budget estimate, the honourable member is irrelevant.

Khan Bahadur Mian Muhammad Hayat Qureshi: I beg to point out that all this will be found in the details. In the budget, page 460 we find in the item of works—

Mr. President : The honourable member is justified to ask the Government member to refer him to those works.

Khan Bahadur Mian Muhammad Hayat Qureshi : This is why I pointed out the difference between such works, and the expenditure that is reasonable in every case.

Mr. President : Will the Honourable Member in charge please say whether the demand includes earth or brick work ?

Mr. A. R. Astbury : If you refer to the explanatory memorandum on the budget you will find the answer at the top of page 108.

Mr. President : It is clear from the memorandum that there is no earth or brick work proposed to be undertaken.

Mr. A. R. Astbury : The honourable member seems to have some difficulty in understanding the point. May I explain it to him.

Mr. President : Does the honourable member stand in need of further explanation ? It is clear from the memorandum that works have already been executed and that only contractors remain to be paid.

Khan Bahadur Mian Muhammad Hayat Qureshi : In view of the assurance of the Honourable Minister for Local Self-Government that he is already taking every pain to secure economy in his department and that he will welcome any suggestion brought forward to achieve that end, I beg leave to withdraw my motion. I shall however speak to him on this matter privately.

The motion was by leave withdrawn.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) (Urdu) : Sir, I beg to move—

That the total grant be reduced by Rs. 100.

My object in bringing forward this motion is to urge upon the Government and especially on the Minister for Local Self-Government who is in charge of the hydro-electric scheme that now when the scheme is about to be completed and electric energy going to be supplied to the people at large the interests of the rural population should not be ignored. If the answer given to-day to my question by the Honourable Minister for Agriculture had been satisfactory I would not have moved this amendment. He said that the department would have to extend its line to a very great extent in case it is proposed to give electric power to those places which are at a great distance from the centre. That is a very disappointing answer. We all know that when this scheme was brought forward it was frequently urged that the rural population will surely benefit by it. Now that the province has borne an expenditure of 6 crores of rupees it is given out that the rural population is not likely to have any advantage out of it. I think the rural population will be shocked to hear this news. They were under the impression that they will be able to improve the condition of their agriculture. But now all their hopes have proved to be fruitless. There is no denying the fact that it will be necessary to build sub-stations and extensive transmission lines in order to convey electric power to the rural areas but I would assure the Government that all these endeavours will be worth the object to be achieved. As far as I know most of the transmission lines pass very near big towns and it is because it is in these big towns that most of the energy is to be consumed.

If you have no means by which to give the benefit of electric energy to the rural areas you should have given a definite answer to that effect. If you have no scheme ready as yet for transmitting electric power to rural areas you will lose no time in evolving one. I assure you that such a disappointing answer as the one the Honourable Minister for Agriculture gave to my question on this point, will do no good. He says that much money will have to be spent. But I ask, since we zamindars have borne the expenditure of this scheme and have suffered a lot on account of it, why should we not have compensation for our money? If the Government will consult their experts they will surely be able to find means wherewith to give the benefit of electric power to rural areas. We know in the United Provinces, electric power is utilised in drawing water from the wells. I do not know how far that experiment has been successful but that is sufficient to give this province a lead in this respect. When the Government brought forward this scheme they told us that a virtual revolution will take place in the tube wells after the completion of the scheme. It is now the proper occasion for the Government to try to materialise that hope. Furthermore it is desirable that the small towns and villages should also be given the benefit of electric light. I am sure that people of those *ilqas* will also appreciate this blessing with the same ardour as the residents of urban areas do. The long and the short of it is this that the Government should take early steps in order to evolve a scheme wherewith to make the rural areas equal sharers in the advantages of electricity with the people of urban areas. And it is with this object that I have brought forward this motion.

Mr. President : The motion is—

That the total grant be reduced by Rs. 100.

Sardar Buta Singh (Multan division, Sheikhupura, Sikh, Rural) (Urdu) : Sir, I rise to lend my whole hearted support to the motion moved by my honourable friend Sardar Habib Ullah. He has said that the Government should not give us a hasty answer but try to devise means whereby to give the rural areas equal benefit of electric energy. But the Government have already made their position clear with respect to this point. It is stated on page 80 of the Memorandum—

In the case of the Uhl River Hydro-Electric Scheme the power is generated at the main power station at Jogindernagar in the Mandi State and is transmitted by trunk and branch lines for supply to bulk consumers such as industrial concerns, the North-Western Railway, municipalities and companies already licensed to supply energy who desire to take energy from the Hydro-Electric Branch and also to 15 towns, in which Government has itself undertaken to distribute power.

Evidently they have not made mention of villages in these lines. What they have undertaken is to distribute electric power to 15 towns and municipalities. In spite of all this the Minister for Agriculture assured us on 8th March 1932 that this blessing will be denied to nobody. He said in his speech—

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.

No mention of villages is made in the Memorandum although he gave us this assurance in his speech. I have grave suspicions about even the smaller towns being benefited by electric power. But the villages will surely be deprived of its advantages. I sometimes feel a bit confounded to see

[Sardar Buta Singh.]

the ever-shifting position of the Government. When they have to demand money to push on a project they hold out high hopes and promise to benefit this and benefit that after the completion of the scheme. But when the work is completed they forget all their promises. This has been the case

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in the present instance. I think the money spent on this scheme is out of all proportions to its importance. Now the zamindars who have borne the greatest share of its expenditure—since they contribute the largest portion of the provincial revenue by way of land revenue and water-rates, and other taxes—are being openly denied the advantages that are to accrue from the scheme. The Government's behaviour towards the zamindar has been similar in all cases. In Lyallpur and in my own district of Sheikhpura the Government took land from the zamindars to fix the electric poles but no compensation has so far been paid to them. But the zamindars remain obsessed with the idea of possible advantage which may accrue to them from all the Government projects and go on rendering every sort of help. But when they see that their hopes have proved fruitless they will begin to rue but to no purpose as some one has said—

اب بچھتا ہے یا ہوت جب چریان چگ کنیں کہیت

But if the zamindars have erred in lending every kind of help to the Government to complete this scheme the Government should not take advantage of their ignorance but should devise means to give them every advantage which can be had from this scheme.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban) (Urdu): Sir, It is now really unreasonable and inconsistent on the part of the honourable members on these benches to oppose the scheme which was supported by them 4 or 5 years ago. The party which now opposes it so vehemently was in fact responsible for its adoption. There is no use crying over spilt milk. We have already spent six crores over it and unless we sell the power generated from this scheme at 8 or 12 annas per unit we are bound to incur a loss of 25 or 30 lakhs annually. Still the case is not hopeless. We can make this scheme a success by spending another sum of say 50 or 60 lakhs for the benefit of rural areas. I hope you are aware of the general complaint about frequent canal closures and scarcity of canal water. This complaint can be removed if we establish sub-stations with small voltage in rural areas. We can supply power on economic basis to the owners of wells. If that is done I think no occasion will arise for the Government to remit land revenue. Look at Switzerland where a labourer earns Rs. 7 or 8 daily. There electric power costs one anna per unit while we pay here 6 annas per unit. The people of Switzerland earn about 46 times more than we do here and in spite of that they pay one anna per unit. We have already spent six crores and we will be able to produce 30 thousand kilowatts of electric power. But if we spend another sum of sixty or seventy lakhs we would produce electric power three times more, that is 90 thousand kilowatts. You know that when crops are about to mature and require watering, the Canal Department very often refuses to supply water. I rural areas are made independent of the Canal Department, I am sure the Government will not stand to lose. As you know originally only two crore

were sanctioned for the scheme but eventually the estimates were increased so much so that we have spent six crores by now. Would you consider it to be due to a mistake of your experts? No it is a blunder which could not have been tolerated in any country of the world. This reflects on the efficiency of your engineers. Would the Honourable Minister in charge of the scheme or the Honourable Minister for Agriculture—both business men—tolerate the presence of an engineer in their firms who is provided with a sum of 20 thousand rupees for the construction of a particular work on which he happens to spend 60 thousand rupees. I am sure they would at once have turned him out. If your engineers have committed this blunder, you ought to have consulted engineers of other countries. Anyhow I would request the Government that they should look to the welfare of the zamindars for I realise that if the latter are not happy and well-off, the urban people cannot be prosperous. I would therefore urge that you should try to ensure the general welfare of the whole province. We cannot be satisfied if you say that it will be seen or it will be considered unless you assure us that you have every sympathy with the object of the honourable mover and that experiments will be made to achieve that object. I am sure that people in towns cannot utilize 30 thousand kilowatts of electric power and if experiments are made for the rural uplift they are bound to succeed. With these words I support the motion now before the House.

Mr. A. R. Astbury (Secretary Electricity Department) : Sir, the motion before the House is to urge the necessity of supplying electric power within the reach of the rural population, but the last speaker seemed to me to diverge a great deal from the sense of that motion and if the House will excuse me I will confine my remarks to the motion. The first question I think we should ask is, what is within the reach of possibility in this direction and on the answer to this question we might decide more or less what can be done to satisfy this motion. In 1930 an Inquiry Committee sat to go into the merits and demerits of this scheme and on the subject of rural electrification they came to certain conclusions which they summarise at the end of their report. If I may be permitted to give a brief resume of three items from that summary it will show what is within and what is not within reach. Item 40 said that before any large scheme of tube well irrigation could be taken up certain experiments should be made. They then went on to say that the demand for power in agricultural operations other than lift irrigation is likely to be negligible. Their last conclusion was that development of cottage industries owing to the advent of power could only be slow. This summary gives us an idea of what is possible and what is impossible. Lately I had the great advantage of going to the United Provinces and seeing what is actually being done, but as yet on a small scale, towards benefitting the rural population; and I must say I have returned with a great admiration for what is being done there and I only hope that something similar may result from the Mandi Scheme only on a much larger scale (*hear, hear*). I must say that I feel very great sympathy with the rural population who see these lines going all the way from Pathankot down through the country but feel that though the lines are there the electricity is not for them and agriculture is not likely to benefit from the lines. Every body must have sympathy if such is their feeling. In the rural areas supplied by the United Provinces electricity scheme, energy is being given in one of two ways. The first way is that a person who likes to go the extent of digging or sinking

[Mr. A. R. Astbury.]

his own tube well is given power at one anna per unit provided he undertakes to take that power for a certain term of years, usually five years, and provided he undertakes to buy not less than a certain number of units during those years. There is no reason why the Punjab Government could not do the same, at places in the neighbourhood of towns to begin with, and afterwards as that method takes hold extend the lines further. But an even more interesting development is that the Irrigation Branch is helping very much the sale of electricity by a very simple arrangements which surely should appeal to anybody in the Punjab. The Irrigation Branch go into an area of land where at present there is no flow of irrigation, which is, so to say, *barani* land. With their own money, not the funds of the hydro-electric branch, they sink a well in a favourable place, not a big well but a fairly small one, a tube well, which will lift about half a cubic foot per second. They find from experience that that is the best size of a well to sink because a zamindar can easily control the flow which comes from such a small well. Having sunk the well they then arrange with the zamindars who own the lands near the well to allow them to cut channels for the distribution of water from the well without acquiring the lands of those zamindars. That is to say the cost of making the channel in the first instance is borne by the Irrigation Branch but nothing else. Having done that they then provide a motor and all the machinery for giving water on to the fields and they put a little meter at the top of that motor into which it is possible to put a small metal token. The coin is familiarly known as a "bawbee". The zamindars buy these "bawbees" for Rs. 2 or Rs. 3. The rate varies from time to time. They put that coin in that meter and draw about one lakh gallons of water and when the water has been supplied the motor stops automatically. This method is proving a great success with the zamindars in the United Provinces and they are getting a direct supply of water for money paid in cash. Here in the Punjab it is possible that the co-operative societies may help the zamindars to find the funds by which they can afford to buy their water. By this means the irrigation branch is helping the hydro-electric branch in the United Provinces and I see no reason to suppose that in this province the irrigation branch would not help similarly. There is no doubt that when this is set going, developments will take place which perhaps were not expected while the project was in its first stage. It was not designed to give agricultural supply in the first stage. I must not be misunderstood when I say that. The project was designed to the extent that is possible to extend it and give its benefit to the rural people. But the lines necessary to give that rural supply out into far distant places were not included. They will cost more money. It is a curious device, frequent at our budget discussions, to suggest that it is possible by moving a reduction in the budget to provide more money for a particular purpose. I suppose that it is merely a device. However I am thoroughly in sympathy with the motion itself as such, though it is of course impossible for us to carry out the object in view by means of the actual reduction which is proposed.—
(Cheers).

Khan Bahadur Sardar Habib Ullah (Urdu): Sir, I would have very much liked to hear the Honourable Minister in charge of the scheme saying something about his policy with regard to the scheme. No doubt my honourable friend the Chief Engineer has assured the House that the scheme would in the long run promote the cause of agriculture.

Mr. President : Did the honourable member give any assurance ?

Khan Bahadur Sardar Habib Ullah : I understood the honourable member to say that the experiments which are being made in the United Provinces will also be possible here and that this scheme will eventually improve the conditions of irrigation in the Punjab. So far the Government has done nothing to show how this scheme is going to benefit the zamindars of the province. If it is not prepared to make this scheme beneficial so far as the zamindars are concerned, it must say so. In the absence of any specific assurance from the Government, we the zamindars are constrained to think that the Honourable Minister in charge of the scheme is not working out the scheme for the ultimate benefit of the country. I would therefore press my motion to a division.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) (*Urdu*) : Sir, I already intended to give expression to my views with regard to the motion now before the House. It was suggested perhaps by my friend Sardar Habib Ullah himself that we should study what the Government in the United Provinces had done so far and what possibilities there were for the zamindars here to benefit from this scheme. As you know, Mr. Astbury himself went to Meerut to witness the working of the scheme in vogue in the United Provinces and to find out whether the same experiments could be made here in the Punjab. And to-day he has stated the impressions he got of the working of that scheme in the United Provinces. I need hardly say that I have every sympathy with the object underlying the motion under consideration. I would say without hesitation that this scheme was never intended to benefit any particular area or any particular class of interests. It is meant for the general welfare of the whole province. When the scheme was originally taken in hand, it was stated by the then Chief Engineer that in the beginning this scheme, like all other commercial schemes would be worked in a manner most profitable to Government, that is to say, that the power generated from this scheme would in the beginning be supplied to those alone who could afford to pay more. But it does not mean that power will only be supplied to owners of factories and other manufacturers in towns. I would very much like to quote a few sentences from the pamphlet published by the late Colonel Battye and distributed amongst the members of the Council. It is stated on page 9.

The above results will be obtainable in over 20 towns immediately the scheme is completed and some 39 additional towns eventually. As the product develops however, our railways can by degrees be electrified, thus considerably improving the comforts of and cheapening the cost of railway transportation in the Punjab. The Punjab however is primarily an agricultural province and it is agriculture which will eventually be the chief user of hydro-electric power.

I think it is enough to say that the sponsor of the scheme intended it to promote the cause of agriculture. He goes on further to say how the zamindars will benefit from this scheme. A conference took place in Lahore on 19th, 24th and 25th December in which the Registrar of Co-operative Societies, Principal, Agricultural College, Lyallpur, a professor of the same college and others took part—

At these discussions it was ascertained that provided large scale experiments endorsed the results so far obtained on single tube wells, that is, as soon as hydro-electric power is available and with the equipment even now obtainable tube well irrigation may quite likely become an economic proposition costing not more than Rs. 22 per acre crop per year and that the cost will probably fall as soon as

[The Hon. Dr. Gokul Chand Narang.]

simpler and cheaper equipment becomes available. This being the case it is only a question of time and some 2½ million acres of uncommanded land may eventually be irrigated which would have the effect of adding about 6,000 cusecs of water to the present winter flow (*I think probably he means water flow*) of the province. It is also probable that some 50,000 acres of land which are at present water-logged, unfit for cultivation, and a source of disease could eventually be drained and both the land and water used to advantage. Lastly the by-product which will eventually become available would be sufficient to place several thousand tons of ammonium sulphate on the market for fertilising sugarcane and other similar crops at a cost probably not exceeding Rs. 5 per maund.

These are some of the advantages which, as intended by the sponsors of the scheme, were to accrue to the agriculturists of the province from this scheme.

Khan Bahadur Sardar Habib Ullah : As it is said in vernacular it is a picture of green gardens drawn to captivate the fancy of the zamindars.

The Honourable Dr. Gokul Chand Narang : Certainly the honourable member would not like to be shown dry gardens. They are not even worth looking at! However, I have no reasons to doubt the forecasts of the late Colonel Battye which not only come within the range of possibility, but which, I think are most likely to come out true. I have no reason to doubt what the Honourable Minister for Agriculture said in his speech which he made in 1932 to which reference was made by my friend Sardar Buta Singh. I am sure that if the Council desired to have the second stage of the scheme completed and if the Government acceded to the wishes of the Council as I am sure it will if possible, sufficient power will be generated from this scheme to be made available at a very cheap rate to the agriculturists of the province. While on this point I may remind the House that this pamphlet to which reference has already been made was distributed amongst the honourable members and if they had any doubts about the forecasts made therein, they could have expressed their dissatisfaction there and then. But they did not do so at that time. Perhaps some of the honourable members will be interested and others will be surprised to learn that the honourable mover of this out was one of the prominent and active members of the Inquiry Committee on the report of which these forecasts were based. If he was not satisfied with the conclusions arrived at by the committee, he could have very well protested and refused to sign that report. But instead of that he himself signed that report showing thereby that he was at least at that time at one with them and that he considered these forecasts to be reasonable.

But I shall not labour this point. Apart from that I shall request the honourable members to keep in view two points before deciding to vote one way or the other. I need not say that we have spent about 6 crores of rupees of public money over this scheme and it is but natural that the public should expect some benefit to accrue from it. If it is not possible to get a profit of 4 crores annually from this scheme as the system of canals in the province gives us, although the canals have cost us about 7 times the money which this scheme has cost us, we should try to get in a period of 10 or 12 years as much as 2 or 3 lakhs of rupees as profits from this scheme as estimated by its sponsors. And in order to achieve that end we must first look to the cities for our customers because it is in the cities alone that

we can find the largest groups of them. Take for example the case of the city of Amritsar. There are in that city any number of owners of houses and factories who require electric power and who will, therefore, readily become our customers. It is an ordinary business point of view which I am sure the honourable members will appreciate. Of course if the question of profits or no profits is immaterial and it does not find favour with the honourable members, then anything can be done. We can in that case construct a bridge to the top of the Himalayan Range what to say of supplying power to the agriculturists at once. Of this I may assure the House once again that it is fully contemplated to bring this power within the reach of the rural population as soon as possible as is evident from the design of this scheme. As some of the honourable members will perhaps be aware the electric cables used to pass the electric current have been so designed as to pass double the amount of the electric current which will pass from these wires at the initial stage and these wires have been purposely used so that if and when the second stage is completed and there is sufficient power to be made available to the rural population, the Government may not feel any difficulty in meeting the wishes of the agriculturists. I think this is proof positive of the *bona fides* of the Government so far as the zamindars are concerned. Beyond that it was not and it is not possible to go at present without waiting for an indefinite time for attracting the required number of customers and consequently losing a good deal instead of gaining anything. The zamindars know that in order to dispose of their produce from lands they take wheat, sugar, cotton and everything else to the markets where customers can easily be found and where they expect to obtain higher prices for their goods. They cannot dispose of that produce in the villages. Similarly the Government has been guided by the same considerations in going to the cities to find the biggest customers for this electric power. There is yet another thing which the honourable members should take into consideration before making the demand which has been made by the honourable mover. We hope to generate about 30 to 35 thousand kilowatts of power from this scheme for the present and the honourable members will agree with me that if we were to look for our customers from the villages, we shall not be able to find a sufficient number of them in a reasonable time. We cannot reasonably wait till a sufficient number of the zamindars have fixed electric apparatus to their wells and on their lands for making use of this power and it is for this reason more than for any other that we have decided to supply electric power to the cities first. As I have said it is intended to supply this power to the agriculturists also sooner or later. The question is only of time and if I am not wrong we shall be able to make this power available to the agriculturists not within 10 or 12 years, but much earlier say within 6 or 7 years because it is hoped that 30 thousand kilowatts of power will be consumed by the cities in that period. I think this will satisfy the honourable mover and his supporters. Before I resume my seat I would like to answer the question put by my friend Sardar Buta Singh. He wanted to know whether electric power will be supplied to the owners of factories, wells and lands situated in close vicinity of the towns. I may assure him that such persons will certainly be supplied electric power if they required it and if they applied for being supplied the power. Beyond this the Government cannot see its way to

[The Hon. Dr. Gokul Chand Narang.]

do anything at present and I hope the honourable members will realise the situation and will not press this demand.

Mr. President : The question is—

That the total grant be reduced by Rs. 100.

The Council divided : Ayes 14 ; Noes 86.

AYES

Khan Bahadur Mian Ahmad Yar	Makhdumzada Sayad Muhammad
Khan Daultana.	Raza Shah Gilani.
Sardar Bahadur Khan.	Maulvi Imam-ud-Din.
Khan Bahadur Mian Muhammad	Raja Muhammad Sarfraz Ali Khan.
Hayat Qureshi.	Mian Nurullah.
Chaudhri Allah Dad Khan.	Shaikh Muhammad Sadiq.
Chaudhri Nazir Husain.	Chaudhri Ram Sarup.
Sayad Mubarak Ali Shah.	Sardar Bishan Singh.
Khan Bahadur Sardar Habib Ullah.	

NOES

Mr. A. R. Astbury.	Mr. C. C. Garbett.
Mr. D. J. Boyd.	Khan Bahadur Nawab Muzaffar Khan.
Mr. H. Calvert.	Mr. S. L. Sale.
Lala Labh Chand Mehra.	Rao Bahadur Captain Rao Balbir Singh.
Mr. E. Mayadas.	Lala Nihal Chand Aggarwal.
Khan Bahadur Mian Mushtaq Ahmad.	Kanwar Mamraj Singh Chohan.
Sardar Bahadur Captain Sardar Janmeja Singh.	Mr. P. Mukerji.
The Honourable Dr. Gokul Chand Narang.	Lala Chetan Anand.
The Honourable Malik Sir Firoz Khan Noon.	Rai Sahib Chaudhri Kesar Singh.
The Honourable Sardar Sir Jogendra Singh.	Chaudhri Nathwa Singh.
Mr. P. Marsden.	Lala Bhagat Ram.
Mr. R. Sandersen.	Lala Ramji Dass.
Mr. F. H. Puckle.	Sardar Bahadur Sardar Mohan Singh.
Mr. R. P. Hadow.	Sardar Gurbachan Singh.
Mr. F. C. Bourne.	Sardar Bahadur Sardar Sheo Narain Singh.
The Honourable Sir Henry Craik.	Guru Jaswant Singh.
The Honourable Captain Sardar Sir Sikander Hyat Khan.	Mr. Owen Roberts.
Mr. J. W. Hearn.	Khan Sahib Makhdum Shaikh Muhammad Hasan.

Mr. President : The question is —

That a sum not exceeding Rs. 62,26,000 be granted to the Punjab Government (Ministry of Local Self-Government), to defray the charges that will in course of payment for the year ending the 31st of March 1934 in respect of Hydro-Electric Scheme (Capital Expenditure).

The motion was carried.

CIVIL WORKS (CAPITAL EXPENDITURE).

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

That a sum not exceeding Rs. 3,79,300 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 1934 in respect of Civil Works (Capital Expenditure).

Mr. President: The motion is—

That a sum not exceeding Rs. 3,79,300 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 1934 in respect of Civil Works (Capital Expenditure).

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (*Urdu*): Sir, I beg to move—

That the grant be reduced by Rs. 10,000 with respect to the item of Rs. 10,000, D.—Forests.

Sir, turning to page 88 of the New Expenditure you will find that this sum of Rs. 10,000 has been provided for constructing residential quarters for the divisional officer stationed at Jhelum. I take this opportunity to urge that this proposed expenditure may not be incurred at least for one year. I make this request for more than one reason. In the first place we do not yet know how many officers are yet to be retrenched as recommended by the Retrenchment Committee and who knows that it may become necessary to abolish the division at present under the charge of the divisional officer at Jhelum. In that case it will be altogether unnecessary to construct the proposed residential quarters. Then there is serious financial stringency which is facing us and on account of this we are already trying to save every penny. There is yet another reason why I object to the construction of these residential quarters. Perhaps honourable members are not aware that these quarters are to be built on the spot where there used to be a bungalow before which has been swept away by the flood. I wonder why the same spot has been selected again. I do not think it is wisdom to make an experiment which has already failed. We have no guarantee that the new bungalow which is proposed to be constructed will not tumble down again and will not be swept away by the floods. For these reasons I request that this money should not be spent at least for another year. 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. 10,000 with respect to the item of Rs. 10,000 D.—Forests.

Mr. H. Calvert (Financial Commissioner): I trust the honourable member will not press this very small item on the House because the expenditure is already long overdue. The catastrophe which swept away the old bungalow occurred in 1929. In the year following no steps could be taken to rebuild the house. In the year following, namely two years after the catastrophe, provision was made for this bungalow but in the interests of economy no expenditure was incurred. In the following year, the third year, in the interests of economy no steps could be taken to reconstruct this bungalow. This, Sir, is the fourth year in which in the interests of economy this work has been postponed and I hope the House

[Mr. H. Calvert.]

will agree that there should be some limit to the period for which you may put officers to inconvenience in the interests of economy.

The honourable member suggested that perhaps in the reduction of the forest staff it might not be necessary to retain the divisional forest officers at Jhelum. I would remind the House that Jhelum is a very important timber depot. It is an important centre of the timber trade of the western Punjab and it is necessary in the interests of the State that an officer should be present at Jhelum to watch the interests of the depot, throughout the year. The argument that because one house has tumbled down, therefore another house should not be built, does not, I think, carry much weight. The catastrophe which swept away this bungalow was beyond all previous records and it is reasonable to hope that for a long time to come no such catastrophe on a large scale will recur again.

Jhelum is not a large town having enterprising capitalists owning bungalows such as you may find in larger cities like Lahore. The cantonments are intended almost entirely for military officers and there is no hope of finding empty bungalows on that side of the railway line for civil officers. Government is therefore practically thrown back in Jhelum for building officers' bungalows. There is no private enterprise, there are no vacant bungalows and there is no room in cantonments. The fact that an officer is bound to reside within easy reach of the seat of his work is usually accepted as sufficient ground for providing him with accommodation. The man must live and he must live within a short distance of this depot. I hope in view of these facts the honourable member will not press this point.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : Sir, I rise to support the motion moved by my honourable friend. The last speaker, the Financial Commissioner, has tried to justify it but I do not think he has offered any justification for the building of this bungalow. His argument can be briefly put forward in a few words. He says ; " for four years we have been waiting to build this bungalow and that there ought to be some limit to patience." At the same time may I enquire how the divisional forest officer was living during those four years ? If he could live for four years without this bungalow, surely he can pass one or two more years without it. The Punjab Government is passing through times of great financial stringency and yet it decides to launch upon schemes of this sort involving such huge expenditure. The zamindars are in the grip of a great calamity and every single pie saved by this Government should be spent on the relief of zamindars. The present is a demand for Rs. 10,000 which is not a sheer necessity.

The honourable Financial Commissioner says Jhelum is a timber market. But that is no reason why there should be a bungalow built for the forest officer. Even if there is no house for the Forest Divisional Engineer to live in, Jhelum will continue to be a market all the same and the interests of the department will not suffer for want of accommodation for the officer concerned. Again he says that there is no bungalow available in the Jhelum cantonment because all the bungalows there are occupied by the military officers. I have yet to see a military station in which there is no room for a European gentleman. In the Ambala cantonment many civil officers are living and I dare say there are many in Jhelum also.

There is no force in the arguments advanced by the Financial Commissioner which can induce the Council to allow a sum of Rs. 10,000 being spent on a thing like that. The provision of a bungalow for an officer is nothing less than a great luxury and this is not the time for indulging in luxuries. The forest officer can live as best as he likes in hired rooms and I dare say there are many bungalows available at Jhelum. Why should this luxury be indulged in at a time of financial stringency. Government says that there is still financial stringency and yet it sanctions Rs. 10,000 to be spent on building a house for an officer. As I have said that money should be spent on the zamindar. This is just a model of expenditure which my honourable friend Mian Muhammad Hayat Qureshi has put before us. Perhaps many of the honourable members did not know about it and perhaps thought that it was a matter of very great necessity, but when we look minutely at the facts then we know how Government is wasting money in spite of this financial stringency. Every pie that is saved should be spent on the amelioration of the condition of zamindars. Even if that is not done, even if the money is not to be spent on the relief of zamindars, we are anxious that Government should have a replenished exchequer, a flourishing exchequer—an exchequer which might meet the immediate needs of Government.

How can we reconcile two things? On one side such a beneficent department as the University is being starved and its grant is being curtailed by Rs. 70,000, and on the other Government is thinking of building a house for one of its officers. There is no undertaking in the service rules which can compel the Government to build houses for European officers. Government does not provide houses for the extra assistant commissioners, some of whom are living in most dirty localities for want of better accommodation. Why not make houses for them? Why should there be a differential treatment for big European officers? On the other hand there are all the greater reasons why quarters should be supplied to lower paid officers.

6 P. M. These people cannot afford to pay huge rent for the houses and have to face enormous difficulty in finding suitable houses whereas the higher paid officers, if they cannot get cheap houses can afford to pay for dearer houses. If at all the Government wishes to build houses let it build for poor people who are living in out of the way places far away from cities and towns. It may build quarters for deputy conservators and forest guards who live away from towns and mostly spend their time in forests. The Government can build houses for such people, but even then only when there is abundance of money. But to build houses for highly paid officers at a time of financial stringency is really ridiculous. This is the time when there is all the more need to save every penny.

Mr. President : How many times will the honourable member repeat this argument?

Chaudhri Allah Dad Khan : If I repeat it I have also mentioned additional circumstances which make it a new argument.

Mr. President : Additional circumstances do not justify repetition of the same argument.

Chaudhri Allah Dad Khan : Very well, Sir. In any case this Council is not prepared to vote for this huge sum and we shall try our best to defeat this move of the Government. I hope all the zamindar members will combine against the Government on this occasion. If we effect a saving in this case we can effect more savings in similar cases which can be utilized to give relief to zamindars. I therefore hope that all the zamindar members will support this amendment. It would be in good grace if the Government accepts the amendment. It can also tell the officer concerned, "See, we have tried to provide quarters for you, but the Council is not in favour of the proposal. It is not in a mood to sanction the expenditure and we have no option but to respect the wishes of the Council." I pointed out the other day that it was the intention of the fathers of the present constitution that the wishes of this Council should be respected and that Government should meet them as far as possible.

Mr. President : The honourable member will please speak to the motion before the House.

Chaudhri Allah Dad Khan : I am speaking to the motion. I am appealing to the Government members. I say that they should meet the wishes of the members of the Council and curtail such items of expenditure. With these words, as you are anxious to go I resume my seat.

Mr. President : Will the honourable member please withdraw the expression relating to my anxiety about closing the discussion?

Chaudhri Allah Dad Khan : That was only meant to be a humorous remark and I have no hesitation to withdraw it.

The Council then adjourned till 2 p.m. on Tuesday, 7th March 1933.

PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL

Tuesday, 7th March 1933.

The Council met at the Council Chamber at 2 p.m. of the clock. Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

COMMUNICATIONS BOARD.

***2262. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state—

- (a) the name of the gentleman who represents the Ambala division on the Communications Board ;
- (b) if the Ambala division is unrepresented how long it has remained unrepresented ;
- (c) the names of all the non-official members of the Communications Board and the divisions from which they come ?

The Honourable Sardar Sir Jogendra Singh :

(a) Lala Jyoti Prasad, B.A., LL.B., M. L. C.,
Pleader, Hissar

(b) Does not arise.

- (c) 1. Sardar Gurbachan Singh, M. L. C.,
Jagirdar of Alawalpur, district Jullundur .. Jullundur.
2. Lala Jyoti Prasad, B.A., LL.B., M. L. C.,
Pleader, Hissar .. Ambala.
3. Khan Bahadur Sardar Habib Ullah, M. L. C., Lahore .. Lahore
3. Rai Bahadur Raja Pandit Hari Kishan
Kaul, C.S.I., C. I.E. .. Lahore.
5. Sayad Mubarak Ali Shah, M. L. C., Shah
Jiwana, Jhang district .. Multan.
6. Lieutenant Sardar Nau Nihal Singh, Man,
Manawala, district Sheikhupura .. Lahore.
7. Lala Maha Narain, Manager, Ganesh
Flour Mills, Ltd., Lyallpur .. Multan.
8. Mr. Binda Saran of Messrs. Dina Nath-
Sheo Pershad, Lahore, representative
of the Punjab and Northern India
Chambers of Commerce ..
9. P. H. Guest, Esquire, representative of
the Automobile Association of Northern
India

CENTRAL COTTON COMMITTEE.

***2263. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state the names of the non-official gentlemen whom he has nominated to represent the Punjab on the Central Cotton Committee whenever vacancies have occurred?

The Honourable Sardar Sir Jogendra Singh : The names of the non-official gentlemen nominated to represent the Punjab on the Indian Central Cotton Committee, whenever vacancies have occurred, are published in the *Government of India Gazette* and reproduced in the *Punjab Gazette*, to which gazettes the honourable member is referred.

CENTRAL COTTON COMMITTEE.

***2264. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state how many times since his appointment he has had occasions to nominate, or recommend the nominations of, non-officials to the Central Cotton Committee, and whether his choice has ever fallen on an agriculturist, Hindu, Muslim or Sikh, and, if so, the name of that gentleman?

The Honourable Sardar Sir Jogendra Singh : During my tenure of office, I made 8 nominations. Out of these, two were Europeans, one an urban Hindu, one an urban Sikh, and the remaining four were zamindars. Their names are—

Sardar Sampuran Singh.

Chaudhri Zafrulla Khan.

Mian Nurullah.

Khan Bahadur Habib Ullah.

MEETINGS OF STANDING COMMITTEES.

***2265. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state how many times in 1931 and 1932 meetings of each of the Standing Committees (other than the Finance and Public Accounts Committees) relating to his departments were convened?

The Honourable Sir Henry Craik : One meeting of the Standing Committee on Jails was convened during the years 1931 and 1932. There was no meeting of the Standing Committee on Police during these two years.

MEETINGS OF STANDING COMMITTEES.

***2266. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state how many times in 1931 and 1932 meetings of each of the Standing Committees relating to his departments were convened?

The Honourable Captain Sardar Sir Sikander Hyat Khan :

		1931.	1932.
(1) Standing Land Revenue Committee	..	1	1
(2) Canal Standing Committee	.. ..	2	1

MEETINGS OF STANDING COMMITTEES.

***2267. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state how many times in 1931 and 1932 meetings of each of the Standing Committees relating to his departments were convened ?

The Honourable Malik Sir Firoz Khan Noon : There were two meetings of the Public Health Standing Committee in 1931 and one in 1932, and of the Educational Standing Committee there were two in 1931 and one in 1932.

MEETINGS OF STANDING COMMITTEES.

***2268. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Local Self-Government kindly state how many times in 1931 and 1932 meetings of each of the Standing Committees relating to his departments were convened ?

The Honourable Dr. Gokul Chand Narang : There were three meetings of the Standing Committee on Local Self-Government in 1931 and none in 1932. A meeting was held to-day. One meeting of the Standing Committee on Industries was held in 1931 and one in 1932.

GROWTH OF PANCHAYAT SYSTEM.

***2269. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Local Self-Government kindly state what steps, if any, he has taken to foster the growth of the panchayat system in the province ?

The Honourable Dr. Gokul Chand Narang : It is difficult to reply in brief to such a question. For a history of recent development of panchayats, the honourable member should see the last two annual reviews issued. From them he will perceive that the Government have impressed upon local officers their duty of fostering panchayats, and has brought to their notice the points to which they should pay attention. In order to assist them, the Government has permitted the appointment of honorary panchayat officers, to take the place of salaried panchayat officers whose posts had to be retrenched owing to financial stringency, and such honorary panchayat officers have been appointed in each district. The Government has been careful to weed out unsuccessful panchayats, to establish new panchayats where there seemed a likelihood of success, and to confer only such judicial powers on panchayats as seemed likely to be exercised properly. But the success of panchayats, owing to their being so numerous and so scattered, depends even more than in the case of other local bodies on the good-will and local patriotism of the people and their representatives.

SUPERSESSION OF LOCAL BODIES.

***2270. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Local Self-Government kindly state the number and names of the local bodies which he has superseded ?

The Honourable Dr. Gokul Chand Narang : The following municipal committees have been superseded, and town committees suspended, by the Government :—

Municipal Committees.

- | | |
|---------------------|--------------------------|
| (1) Jhajjar | (Rohtak District). |
| (2) Raikot | (Ludhiana District). |
| (3) Pind Dadan Khan | (Jhelum District). |
| (4) Hansi | (Hissar District). |
| (5) Karor | (Muzaffargarh District). |

Of these Raikot Committee has since been re-constituted.

Town Committees.

- | | |
|-------------------|--------------------------|
| (1) Niaz Beg | (Lahore District). |
| (2) Jaijon | (Hoshiarpur District). |
| (3) Miani | (Hoshiarpur District). |
| (4) Anandpur | (Hoshiarpur District). |
| (5) Jatoi | (Muzaffargarh District). |
| (6) Garh Maharaja | (Jhang District). |

And I may mention that the town committee of Daulatnagar (Gujrat district) has been abolished.

ADMISSION TO AGRICULTURAL COLLEGE AND VETERINARY COLLEGE.

***2271. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state the number of applications for admission to (a) Lyallpur Agricultural College and (b) Lahore Veterinary College which were received in 1927, 1928, 1931 and 1932, respectively?

The Honourable Sardar Sir Jogendra Singh : A statement is laid on the table.

Statement showing the number of applications received during the years 1927, 1928, 1931 and 1932 for admission in to the Punjab Agricultural College, Lyallpur, and Punjab Veterinary College, Lahore.

(a) Punjab Agricultural College :—

Year.					Number of applicants.
1927	..	..	..	..	498
1928	..	..	..	..	450
1931	..	..	..	..	102
1932	..	..	..	..	75

(b) Punjab Veterinary College :—

1927	..	..	..	184
1928	..	..	..	195
1931	..	..	..	38
1932	..	..	..	18

COMMUNAL REPRESENTATION AMONG AGRICULTURAL ASSISTANTS.

***2272. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly lay on the table of the House showing—

- the percentage representation of Hindus, Muslims and Sikhs among the agricultural assistants of A class and B class separately ;
- the percentage representation of Hindus, Muslims and Sikhs among the agricultural assistants of either class discharged in consequence of a policy of retrenchment ;
- the names, religion and tribe of each of the agricultural assistants discharged ?

The Honourable Sardar Sir Jogendra Singh : (a) and (b) The information is contained in the attached statement ;

(c) It is not usual to give names in answer to questions, and I trust the honourable member will not press for these personal particulars.

Statement showing the percentage representation of Hindus, Muslims and Sikhs among the agricultural assistants of (1) A Class and B Class separately, and (2) either class discharged in consequence of a policy of retrenchment.

					Agricultural Assistants, A class.	Agricultural Assistants, B class.
(a)	Muslims	..	..	..	34.8	30.4
	Hindus	..	..	..	27.7	23.9
	Sikhs	..	..	..	36.8	43.5
(b)	Muslims	..	..	..	31.2	25.0
	Hindus	..	..	..	12.5	12.5
	Sikhs	..	..	..	56.3	62.5

SUBORDINATE EDUCATIONAL SERVICE.

***2273. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly lay on the table of the House a statement—

- showing the name, religion and tribe of each of the candidates newly appointed to any of the posts in the anglo-vernacular section of the subordinate educational service ;

[R. B. Chaudhri Chhotu Ram.]

- (b) the year in which the candidate passed out of the Central Training College and the place which he occupied in the list of successful candidates ;
- (c) any statutory Hindu agriculturists who may have passed out of the Central Training College in 1931 and 1932, and the places which they occupied in the list of successful candidates ;
- (d) the number of statutory Hindu agriculturists who obtained employment (otherwise than by promotion) in any of the grades of the anglo-vernacular section of subordinate educational service in 1930, 1931 and 1932, and those among them who came from the Ambala division ?

The Honourable Malik Sir Firoz Khan Noon : (a) Since January, 1931, no new candidate has been substantively appointed in the subordinate educational service, anglo-vernacular section.

(b) Does not arise.

(c) and (d) The requisite information is noted below :—

Year.	Name of the statutory Hindu agriculturists who passed out of the Central Training College.	Position on the list of successful candidates.
1931	1. Chanchal Singh .. 2. Dhaja Ram .. 3. Hamir Chand ..	64th 68th 23rd
1932	1. Desh Raj Dahiya .. 2. Dalel Singh ..	Out of 71 33rd 54th Out of 89
(d)	Number of Hindu agriculturist who obtained employment.	Number coming from the Ambala division.
1930	1	1
1931	Nil	Nil
1932	Nil	Nil

HINDU AGRICULTURISTS IN PROVINCIAL EDUCATIONAL SERVICE.

***2274. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) whether among the Hindu (i) deputy inspectors or (ii) district inspectors of schools there is any statutory agriculturist ;

- (b) whether there are any statutory Hindu agriculturists in the provincial educational service of a status equal or superior to that of any of the gentlemen now holding the post of a deputy inspector of schools ;
- (c) whether there are any statutory Hindu agriculturists in subordinate educational service who are sufficiently senior to be appointed district inspectors of schools ;
- (d) the names of statutory Hindu agriculturists who are at present assistant district inspectors of schools and who have served four years or longer in that capacity ;
- (e) whether assistant district inspectors of schools referred to in (d) are not regarded as sufficiently senior or experienced to become district inspectors ;
- (f) the salary and length of service of the senior most statutory Hindu agriculturist among assistant district inspectors, and how his salary, length of service and experience as assistant district inspector compare with those of Lala Prabhu Dayal (now district inspector of Hissar) when he was first appointed as district inspector ?

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

(b) No.

(c) Yes there are, and some of them have been tried as district inspectors of schools, but were not considered successful. It may further be added for the honourable member's information that in selecting officers for the post of district inspector of schools seniority is not the only factor that is taken into consideration.

(d) It is not the practice of Government to disclose names.

(e) and (f) In selecting officers for the posts of district inspectors of schools many factors are taken into consideration, and it is not in the public interest to make public a comparison of the administrative qualities of one officer with those of another.

SIKH DISTRICT INSPECTORS OF SCHOOLS.

***2275. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) the number of Sikh district inspectors of schools and the number of statutory agriculturists among them ;
- (b) the length of service and grade pay of the district inspectors referred to in (a) ;
- (c) the number and names of statutory Sikh agriculturists who are in Rs. 140—10—200, Rs. 210—10—250 grades or in the provincial service who are sufficiently senior to be entrusted with the charge of a district ;
- (d) the grade which Bhai Bikram Singh held and his exact place in that grade when he was placed in charge of a district ?

The Honourable Malik Sir Firoz Khan Noon : (a) and (b) A statement giving the requisite information is laid on the table.

(c) Names are published in the departmental lists, copies of which are being placed in the Council library. It is difficult and undesirable to express opinions about officers in the manner suggested.

(d) No. 36 in the grade of Rs. 110—5—135.

Statement.

Serial No.	Post.	Whether the incumbent of the post is a member of a notified agricultural tribe or other.	Grade of pay.	Length of service.
1	District Inspector of Schools, Rawalpindi.	Other ..	Rs. 250—25—500—25—600.	18 years, 9 months.
2	District Inspector of Schools, Lyallpur.	Do. ..	Rs. 250—25—500—25—600.	26 years, 10 months.
3	District Inspector of Schools, Sialkot.	Do. ..	Rs. 200—10—250	19 years, 10 months.
4	District Inspector of Schools, Ludhiana.	Member of a notified agricultural tribe.	Rs. 200—10—250	14 years, 8 months.

MONEY-LENDERS.

***2276. Rai Bahadur Lala Sewak Ram :** Arising out of question no. 237¹ answered on 2nd December, 1931, will the Honourable Member for Finance please state—

(a) how many money-lenders were murdered in the Punjab during 1931-32 by their debtors, giving names and residences of the persons so murdered and the causes of their murder ;

(b) the action the Government has taken in putting a check on the growing tendency among the debtors to murder money-lenders in villages ?

The Honourable Sir Henry Craik : I regret the reply to this question is not yet ready. It will be supplied to the honourable member when ready.

TEACHING OF HINDI.

***2277. Rai Bahadur Lala Sewak Ram :** Arising out of question no. 1162² answered on 3rd March, 1932, will the Honourable Minister for Education please state—

(a) the number of government, district board and municipal board schools in each division where no arrangements exist of teaching Hindi in the 5th or 6th lower middle classes ;

¹Vol. XX pages 340—44.

²Volume XXI page 155.

- (b) what steps he proposes to take to remove this disability in these schools ?

The Honourable Malik Sir Firoz Khan Noon : The information is being collected, and will be supplied when ready.

HINDU INSPECTORS OF SCHOOLS.

***2278. Rai Bahadur Lala Sewak Ram :** Arising out of question no. 285¹ answered on 3rd March, 1932, will the Honourable Minister for Education please state the reason for reducing the number of Hindu divisional inspectors of schools in the Punjab from two in 1930 to one in 1932 ?

The Honourable Malik Sir Firoz Khan Noon : The Hindu community had more than its due share in 1930. The policy of Government in regard to communal representation in services was fully explained in the statement made by the Honourable Finance Member in a debate in the Legislative Council on 19th July, 1927.

INSPECTORS OF SCHOOLS.

***2279. Rai Bahadur Lala Sewak Ram :** Arising out of question no. 1195² answered on the 7th March, 1932, will the Honourable Minister for Education kindly state—

- (a) whether out of the five divisional inspectors of schools there is only one Hindu ;
- (b) whether out of the two inspectors, namely, inspector of vernacular education and inspector of training institution both are Muhammadans ;
- (c) what steps he intends taking in raising the number of Hindu inspectors of schools ?

The Honourable Malik Sir Firoz Khan Noon : (a) Yes. Out of three permanent divisional inspectors one is a Hindu and the other two Europeans.

(b) Yes, but both are officiating.

(c) The policy of Government was stated by the Honourable Finance Member in a debate in the Legislative Council on the 19th of July, 1927. This is still the policy of Government, and Government continue to carry out the requirements of the formula contained in the said statement of policy.

EDUCATION SERVICE, LAHORE DISTRICT BOARD.

***2280. Rai Bahadur Lala Sewak Ram :** Arising out of question no. 818³ answered on 23rd March, 1932, will the Honourable Minister for Education please lay on the table the required statement ?

The Honourable Malik Sir Firoz Khan Noon : The information is not yet ready. It will be supplied as soon as possible.

¹ Volume XXI, page 167.

² Volume XXI, page 232.

³ Volume XXI, pages 599-600.

SUPERSESSION OF HINDUS IN THE EDUCATION DEPARTMENT.

***2281. Rai Bahadur Lala Sewak Ram :** Arising out of question no. 1449¹ answered on 10th May, 1932, will the Honourable Minister for Education kindly state—

(a) the reason for which Pir Muhammad Nawaz, Sheikh Ghulam Hussain, and M. Lal Din who superseded five Hindus were better fitted for the work demanded of them after promotion ;

(b) the reason why the officers who were superseded could not be put to the work demanded of the officers superseding them ?

The Honourable Malik Sir Firoz Khan Noon : It is not in the public interest to state such reasons. Instances could also be quoted where Hindus have superseded Muslims.

HINDU ASSISTANT DISTRICT INSPECTOR OF MUNICIPAL SCHOOLS, LAHORE.

***2282. Rai Bahadur Lala Sewak Ram :** Arising out of question no. 1451² answered on 10th May, 1932, will the Honourable Minister for Education please state—

(a) whether the post of assistant district inspector of schools in charge of M. B. Schools, Lahore, has been vacant for the last four months ;

(b) whether the authorities propose to appoint a Hindu to this post ?

The Honourable Malik Sir Firoz Khan Noon : (a) The post has been lying vacant for about three months.

(b) The honourable member is referred to the answer given to his question no. *1451² on the 10th May, 1932.

HINDU DISTRICT INSPECTORS IN LAHORE.

***2283. Rai Bahadur Lala Sewak Ram :** Arising out of question no. *1453³ answered on 10th May, 1932, will the Honourable Minister for Education kindly state what action he has taken to provide some Hindus in the district inspecting staff of the Lahore district ?

The Honourable Malik Sir Firoz Khan Noon : One Hindu has already been appointed as assistant district inspector of schools in the Lahore district.

EDUCATION SERVICE, LAHORE DISTRICT BOARD.

***2284. Rai Bahadur Lala Sewak Ram :** Arising out of question no. 318⁴ answered on the 7th November, 1932, will the Honourable Minister for Education kindly lay on the table the required statement asked for in the question ?

The Honourable Malik Sir Firoz Khan Noon : Attention is invited to the reply to Council question no. 2280⁵.

¹ Volume XXI, pages 971-72.

² Volume XXI, page 972.

³ Volume XXI, page 973.

⁴ Volume XXII, pages 54-55.

⁵ Page 289 ante.

COMMUNAL REPRESENTATION IN THE OFFICE OF DIRECTOR
OF PUBLIC INSTRUCTION.

***2285. Rai Bahadur Lala Sewak Ram :** Arising out of question no. *1829¹ answered on the 14th November, 1932, will the Honourable Minister for Education kindly state what steps he is taking—

- (a) to raise the number of Hindu officers employed in the office of the Director of Public Instruction, Punjab, in the grade 100 to 250 in which Hindus hold only one post out of the total of 12 ;
- (b) to appoint more Hindus in the grade of 250 to 350 in which their number is nil ?

The Honourable Malik Sir Firoz Khan Noon : The policy of Government was stated by the Honourable Finance Member in a debate in the Legislative Council on the 19th of July, 1927. This is still the policy of Government, and Government continue to carry out the requirements of the formula contained in the said statement of policy.

COMMUNAL REPRESENTATION IN THE OFFICE OF DIRECTOR
OF PUBLIC INSTRUCTION.

***2286. Rai Bahadur Lala Sewak Ram :** Arising out of question no. 1832² answered on 14th November, 1932, will the Honourable Minister for Education please state—

- (a) whether it is a fact that out of six posts of heads of branches in the Director of Public Instruction's office all the six posts are held by Muslims and not one by Hindu ;
- (b) what steps he is taking to appoint more Hindus as heads of branches ?

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

(b) The honourable member is referred to the answer to his question no. 2285 (starred).

GOVERNMENT'S DEMANDS FOR GRANTS.

CIVIL WORKS (CAPITAL EXPENDITURE)—(*concluded*).

Mr. President : The Council will now resume discussion on the amendment moved yesterday to the demand for Civil Works (Capital Expenditure).

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) (*Urdu*) : Sir, after having listened to the speech of the honourable the Financial Commissioner yesterday on this subject I am further convinced that the honourable mover has rightly asked for this item of expenditure to be cut down. As explained by the mover and as admitted by the Financial Commissioner the officer for whom this residence is intended to be built has been living for the last four years in a hired house, and I do not see why he should not continue to live as before till at least this financial stringency

¹ Volume XXII, pages 364-65.

² Vol. XXII, page 366.

[K. B. Sardar Habib Ullah.]

is over or till the Forest Department has begun to yield profits to the Government. As you will find later on, the demands relating to the beneficent departments have been ruthlessly cut down and their most beneficent activities have been stopped simply with a view to balance the budget. The public has been denied the benefit of education, and the zamindars have been refused the services of the Agricultural Department on an extensive scale for no other reason than that of economy. The Public Health Department which is so very important for the interests of the public has not been provided with sufficient funds to extend its activities to every nook and corner of the province, and for want of funds the Veterinary Department was not able to attend to the requirements of the zamindars although many of their cattle died last year. Now, if for want of funds and in view of financial stringency the activities of the beneficent departments can be stopped, I wonder with what show of reason the Government can ask for money for building a house for one of its officers.

In considering this question we should not lose sight of this fact also, which was pointed out by the honourable mover, that the Forest Department is overmanned, and that many of its officers are gradually to be brought under reduction. That this department has more than enough number of officers has been admitted by the Honourable Revenue Member on many occasions, and whenever we have asked as to how this came about, he has replied that he was not responsible for the appointment of these officers. Anyway it is a fact that some of the officers are to be reduced, and we should wait for sometime more before another penny is spent on this department. There are many other problems relating to this department which are awaiting our attention. For example, we can help the zamindars of the constituency of my friend from Hoshiarpur who is to-day present in the Chamber by planting trees to stop the havoc that is caused to the lands by the swift current of the chos. That is a problem which deserves our attention before anything else, but if that can wait, why not the construction of this bungalow also? I ask, why at all should we build houses for the officers in the cities and in the towns where a number of good houses can be had on hire?

This reminds me of another serious objection which I take against public money being spent in this manner. I know of no other country in the world where houses are provided by Government for its officers. It is a policy which is peculiar to this country alone.

The Honourable Sardar Sir Jogendra Singh : Has the honourable member been to the Chaburji Gardens Estate?

Khan Bahadur Sardar Habib Ullah : Yes, I have been to the Chaburji Gardens Estate, and I am glad that quarters have been built for clerks, and I may say that if another similar scheme for building quarters for low-paid clerks and officials is put forward I shall be the first man to give my support to it. But quarters for high officers is a thing unheard of in other countries. Why on earth should public money be spent and wasted for providing houses to the officers who can easily afford to pay high rents? Why in the cities like Lahore and Amritsar should bungalows be constructed by the Government at huge expense for its officers and only a nominal rent charged to them? This waste of public money should now be stopped for

ever. May I hope that these considerations will prevail with the Government and that it will accept the cut proposed by my honourable friend ? After all this is only a non-recurring expenditure which if not incurred will not upset any important arrangement of the Government and I think that the Government will not insist on having this sanctioned at least for some time to come. With these words I support the motion before the House.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) (*Urdu*) : Sir, I think that the honourable members opposite are labouring under a serious misunderstanding. I may assure them that this provision was not made haphazardly as some of them appear to think. On the contrary it was made after careful consideration and scrutiny. Let me assure them further that if the proposed residential house for the divisional officer was not considered absolutely necessary, the Standing Finance Committee would not have passed this item of expenditure, and would not have allowed its inclusion in the budget even if the Chief Conservator had pressed for it. Perhaps the honourable members are not aware that this amount of Rs. 10,000 was sanctioned by the Council in 1931-32, but for the sake of economy the Chief Conservator himself decided to postpone construction of this house and surrendered the amount. Government has been postponing this expenditure so long as it was possible to do so. We refused to include this item in the budget until the Chief Conservator had himself visited the place and seen with his own eyes the difficulty which the divisional officer was experiencing for want of suitable accommodation. He found that the officer was living in a house in the Jhelum Bazar which was most unsuitable for the officer of this status. It is not easy to get a house in the Cantonment area without the permission of the military authorities, and that permission is difficult to obtain as the houses in cantonment are required for military officers. It will interest the members to know that an officer of the Irrigation Department whose office and bungalow had similarly been washed away by the floods, was lodged in a hired house in the cantonment area, but after a short time the military authorities asked him to vacate the house at short notice and the office had to be removed to Sarai Alamgir on the other side of the river, and located in an old rest-house which was in a dilapidated condition. In the circumstances we had to sanction the construction of a new office in spite of the financial stringency. I am sure the House will agree with me that we were justified in doing so.

As has been explained by the Financial Commissioner, Jhelum is the headquarter of an important forest division which includes the Salt Range Forests, and it is necessary to station an officer of the rank of a divisional officer there. I am sure the House will agree with me that it would be highly improper to compel a senior officer of this status to live in the bazar. It has been said that there is a danger of the house being washed away by the floods again, but this is a very remote possibility. Between the site of the proposed bungalow and the river there intervene divisional forest officers which have cost Government a much larger sum of money than the amount proposed for this bungalow, and also the Kashmir State bungalows, and the remote possibility of a repetition of 1929 floods should not deter us from incurring this necessary expenditure. I am of course prepared to accept the proposal that the building of this House should be postponed if a suitable private house is available or if some local magnate undertakes to build one within

[The Hon. Capt. Sardar Sir Sikander Hyat Khan.]

reasonable time and offer it on lease on reasonable terms. But if both these alternatives are not feasible there is no other way out of the difficulty except by building a house at Government expense. In view of what I have said I hope the House will have no hesitation in voting this amount.

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (*Urdu*): Sir, even after what the Honourable Revenue Member and the Financial Commissioner have said to justify this demand, I am constrained to say that my objections to this expenditure being incurred this year have not been met. My main argument against this demand was that the financial position of the province did not permit us to indulge in such luxuries and that still stands and has not been answered. It has been said that the Government has been postponing the construction of this house for the last four years on account of financial stringency and it is after waiting for four years that it has come before the Council with this demand. But it goes without saying that the financial position has not improved a bit this year and as such the Government which could wait for four years ought to have waited for some more favourable opportunity or at least for another year. This argument that between the site of the bungalow and the river the offices of this division intervene and if ever floods come these offices will be washed away first before they damage the proposed bungalow, is also not very convincing. However as the Honourable Revenue Member has promised that he will first ascertain whether any house belonging to a private individual can be made available for the divisional officer or whether some financier is prepared to build a house at Jhelum for letting it to the Government and that the construction of the house by the Government will be undertaken only after it has been ascertained that no private house can be made available, I beg leave to withdraw my motion.

The Honourable Captain Sardar Sir Sikander Hyat Khan (*Urdu*): Sir, I am not prepared to take the initiative in this matter. I have already said that we would not have asked for this money if a suitable house had been available. I am also not prepared to enquire whether any private person is prepared to build a house and lease it to Government. But if the honourable member from Jhelum or some other honourable member can persuade some one to make an offer, I would be glad to consider it, and am prepared to wait till the beginning of April before proceeding with the construction of the house.

Khan Bahadur Mian Muhammad Hayat Qureshi: Sir, in view of the assurance given by the honourable member I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (*Urdu*): Sir, I beg to move—

That the grant be reduced by Rs. 31,300 with respect to the item of Rs. 1,16,800, * General Administration.

Sir, on page 91 of the "New Expenditure" you will find Rs. 26,842 shown for the construction of a residence type III-A. In my opinion there is no need for building this house for here in Lahore houses are available

and the Government can rent a house for the accommodation of a gazetted officer. This is not the proper time for spending money on things without which we can do. There is a slump in the market ; the prices are low ; the rates of all things have gone down ; hence a house can be hired on a very low rent. We are pressing for economy, for, under the present financial stringency we require to save every extra expenditure, but the Government against all our wishes brings forward proposals that require money. The Government wants this house to be built for the residence of officers for whom arrangements can very easily be made, for there are many bungalows lying vacant here in Lahore. Had the Government required this sum to build quarters for subordinates then it would have been a different matter and I would not have objected to it. If the Government wants to build a house for an officer in Jhelum there may be some excuse for it, but to build a house here in Lahore is absolutely unreasonable. To spend money on the building of a house is useless for it is not a profitable investment. Instead of its making any return possible on the capital spent, it requires a recurring expenditure for repairs. Therefore, in order to save this sum which is required for the building of the house Government should rent a house. In the end, I request the Government to be reasonable and consider my proposal favourably. The Government should not persist in rejecting this cut motion simply because it has once decided to build this house. I hope the Government will see its way to accept this cut.

Mr. President : The motions is—

That the grant be reduced by Rs. 31,300 with respect to the item of Rs. 1,16,800, General Administration.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : I rise to support this amendment. The fact that such expenses are incurred as could properly and reasonably wait for sometime till better conditions return, is one which should be taken into account by Government in these days of financial stringency. Anyone who spends money in this lavish fashion at a time of financial stringency deserves the severest condemnation. This item of expenditure should not have been even brought up for discussion at this time. The reason which has been given and which perhaps will be repeated by Government is that the land was acquired for this sometime ago and that out of 52 houses only 28 have been built. That cannot serve as a good reason. When there is no money there is no hurry about the building. The land will not fly away. If put to proper use, far from spending on building on it, it can be a source of income. It can if possible be brought under cultivation. The fact that land has been bought and that the house has, therefore, to be built appears to be a childish reasoning, and cannot appeal to members of this House. We are here to save money as much as possible with a view to utilise such saving for the relief to be given to the zamindars. The zamindars are in the midst of famine in one or two districts and in the greatest financial trouble in other districts. A serious effort has to be made by all the elected members of this House, in which I hope the official members will also co-operate with us, to afford all possible relief to the zamindars. When a demand from the zamindars is made it is said that there is no money but if one looks at the persistence with which Honourable Members of Government press to carry every demand of theirs through the House, it should serve as an eye-opener to all who are watching the proceedings of this House. Not a single demand

[Chaudhri Allah Dad Khan.]

is conceded gracefully. Government should have some respect for the wishes of members on this side and at least withdraw one or two grants of theirs, but never. They will persist with obstinacy in regard to every demand of theirs. This is the advantage which they have taken of the peculiar circumstances at present. These circumstances will not be there always and Government must prepare themselves for the new situation in which they will have to bow before the elected members and to carry out their wishes. Even in the Council as at present constituted, Government should have some regard for the wishes of honourable members and co-operate with the Council. Of course there may be some need for these houses but it is not a question of sheer necessity. If this expenditure can wait for sometime the Government should with good grace withdraw this provision and by doing so they will be placing the members on this side under an obligation which they will repay in the case of the other and pressing demands of Government. I wish to submit to the elected members of this Council that there is a clear duty before them. Just now in regard to another grant we have been able to secure the assurance that the construction will not be undertaken unless there is a serious difficulty in obtaining houses. That is to some extent a consolation to us. If we now stoutly oppose this demand and make up our mind to carry it through I think the Government would make us a better concession than before. I hope that honourable members will combine and will not only vote for the motion when the time comes but make speeches perhaps adducing stronger reasons than I have been able to do in order to carry conviction to Government Benches. With these words I support the motion.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban) (Urdu): Sir, in the case of a real necessity it would have been absurd to oppose the proposal for building a house. To build a house at Jhelum is reasonable for Jhelum is a small place and it is difficult to find accommodation for an officer. But here in Lahore there are so many bungalows that can be rented and, therefore, the building of a new one is altogether unnecessary. To spend Rs. 26,000 on a house is unreasonable and specially when we can make other arrangements to avoid the necessity. If the Government had asked for a smaller sum, say Rs. 10,000 or thereabouts we would not have objected but the Government wants Rs. 26,000 in order to build a house big enough to enable the officer to live like a prince. If an officer can live in a house costing Rs. 10,000, at Jhelum he can also live in a house costing nearly as much or at the most Rs. 11,000 here in Lahore. But the Government wants to build a house of type III-A, which requires no less than Rs. 26,000. The Government has never agreed to give a grant to an orphanage or build a house for the poor, but it is always ready to afford every sort of facility, every sort of luxury, every sort of convenience to its officers.

Then, Sir, building residences for Government servants is quite unpaying. The officers spend 6 months at Simla and only for six months the houses remain occupied. They pay rent for 6 months only, which does not even make as much as interest at the lowest possible rates on the capital spent on these houses. Under the new Reforms these houses will become absolutely useless for the English officers will be very few in number and the Indian officers will prefer to live in houses near the city which are very cheap

so far as rents are concerned. Consequently these houses will remain unoccupied.

Then, again, if the Government wants to accommodate the European officers in decent houses then it can ask the Indian officers who are at present occupying them to vacate them and go to the city. We will have no objection to it. If the Government were really interested in effecting economy it can request its officers to live in hotels like the Falettis, the Nedous and so many others. In Lahore and Amritsar you can get a decent house for Rs. 40 or Rs. 60 a month.

Dr. (Mrs.) M. C. Shave : You cannot get a decent house for less than Rs. 150 per mensem. It must be a decent house. If you are going to live in Gumti Bazar when are you going to raise your standard of living ?

Shaikh Muhammad Sadiq : Last year when the Government deducted one rupee from the pay of the poor peons my lady friend never raised a voice as to why it was deducted. Whenever there is a question of the poor man the question of standard of living is altogether lost sight of but when there is a question of the rich man a decent standard of living becomes the main argument. Standard of living means that the poor man should be provided more facilities in order that the life may become tolerable to them. It does not mean that the rich man should be pampered. An honourable member said that he was wearing a coat for the last 24 years. We should have no sympathy with gentlemen who are receiving fat salaries and are not spending their money. A man who spends what he earns serves for he enables the poor men to earn by rendering him service. If he had ordered for more coats he would have enabled the poor tailors to earn something.

If instead of building a house with this sum the Government gives it to an orphanage it would serve a better purpose. With this much money one thousand orphans can be brought up and given education. I hope the honourable members will support this cut. To-day it will be seen whether this Council is really desirous of effecting economy. This cut is a test of the genuine desire of the Council to reduce the expenditure of the Government. Those members who are really dutiful will not hesitate to support this cut.

Dr. (Mrs.) M. C. Shave (Non-official nominated) : The honourable member who has just sat down made an attack on me because I emphasised that it was necessary to build decent houses for Government officers and also emphasised that this country could never progress until it improved the conditions of living. The other morning when I spoke I pointed out the difference between the standards of living in this country and in other countries. Indians suffer in most countries to which they emigrate, because of their poor standard of living. In building decent houses for its servants, Government has set an example and this standard of living will filter down gradually to other people. I have practised among Indians for twenty-five years and I know Indian conditions of living from the bottom to the top and I know that it is of vital importance that the standard should be raised. By providing its servants with good houses, Government will raise the standard and then it will filter down to others. It is of the utmost importance that Government officers should live in decent quarters.

As to the pay of the chaprasis, the condition of Indian servants is deplorable. I know of a poor servant in a loin cloth shivering in the cold

[Dr. (Mrs.) M. C. Shave.]

in the house of a well-to-do man who should have looked after him better. The condition of Government chaprasis is a little better, for Government at least provides them with warm clothing. Then the honourable member said that officers would like to live in flats on McLeod Road and elsewhere and in hotels and so on. Why should they live in flats? Why should they herd together in hotels? Why should they not be entitled to bungalows when they serve Government, and why should not Government house them properly? And do you want them to live in wretched old houses with saltpetre oozing from the walls and the floor and all the other nuisances that exist in the older bungalows? Improved bungalows must cost more; they must have proper walls; they must have proper floors. The servant of Government is entitled to be properly housed because as I say the example that Government sets will filter through and the standard of the people of the country will be raised.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): Sir, I think the demand has not been properly understood. It is not a question of building a bungalow for any particular officer, but to gradually develop the estate which Government acquired and which at present remains undeveloped and we are trying to make some use of it. What would my friend from Shahpur say if we purchased a piece of land and did not put it under cultivation? I do not know what my friend from Amritsar would say if he acquired a site and allowed it to remain unused and did not build on it.

Shaikh Muhammad Sadiq: I should be a fool if I put up an expensive building.

The Honourable Sardar Sir Jogendra Singh: The honourable member for Amritsar says that he would be a fool if he did not put up a building on it.

Shaikh Muhammad Sadiq: No. I said that I would be a fool if I spent more money than I could on the building.

The Honourable Sardar Sir Jogendra Singh: I quite appreciate the position which the honourable member has taken, but he has not shown that the money that we are going to spend on this bungalow is more than we can spend and ought to spend. The question is having acquired a fine site, are we to leave it unused indefinitely? If we build on it, it will certainly yield an income. At present money can be had cheap; building costs are also cheap, cheaper than they used to be. The capital we spend does not come from revenue. This seems to be the most appropriate time to build on this estate and to build as many houses as possible.

It was pointed out that this bungalow will be vacant for six months in the year. No, that is not the case. It is going to be permanently occupied and it will bring a permanent return as it will be allotted to an officer who is permanently stationed in Lahore. As for the contention that there are a large number of houses available and no more houses are needed if the honourable member will take the trouble of making an enquiry, he will find that the number of applications for houses is fairly large. We have a waiting list and we cannot meet the demand. But, if this Council has hesitation I should like to make a proposition, that is, to appoint a committee

to consider the whole question of development of this estate whether it should be built on in a year or two years or five years. What is necessary is that we should have a regular programme of building on this estate and to bring it into use. Otherwise it would be a wasting asset. It is for the House to consider whether it would be more profitable to build on it or to allow it to remain unbuilt. I shall take early steps to appoint a committee to go into the whole question of developing this estate and then consider the programme that this committee lays down. In the meanwhile I feel that this demand may be conceded. I hope that after what I have said the honourable member will withdraw his amendment.

Khan Bahadur Captain Malik Muzzaffar Khan (Mianwali, Muhammadan, Rural) (*Urdu*): Sir, I had no particular reason to participate in this debate but after hearing the speeches of so many honourable members I have thought it proper that I should also give my opinion on the point under discussion. And in the candid assertion of my own opinion I have no fear if anybody is displeased to hear it. Nor have I any object of pleasing anybody by offering my remarks. But I cannot refrain from expressing my surprise at seeing that whenever any demand for constructing any building is put forward, the honourable mover of this cut makes it a point to oppose it. I, for one, cannot account for his aversion to construction of works. (*Laughter*). My personal opinion is this that as God has made the rich and the poor alike we should provide for the comfort of all human beings. I wonder how the honourable members of this House who are always very anxious for their own comforts deny a comfortable lodging to a Government official. When the honourable members come to stay here in Government quarters they demand that every comfort should be provided to them. Even if an honourable member has not studied up to the fourth primary standard he persists in his demand for fixing four electric bulbs in his room. Then there is the demand for a special water tap. The furniture is required to be of excellent quality and the windows are required to be covered with silken blinds. It is unfair, then, for us to come forward and say that we are against facilities being provided to the Government servants. If, however, the money reserved for building these works is not utilised for this purpose and is given over to the zamindars then I will have no objection to it. (*Laughter*.) And if the Government has decided to spend this amount on these works, I would like to point out that there is no time more proper for building houses than the present one. Now-a-days all building materials are very cheap. Bricks, lime and mortar—everything is cheap. Price of timber has also considerably gone down. So you will be building a very good house on a comparatively smaller sum. (*Shaikh Muhammad Sadiq*: Smaller sum, that is Rs. 36,000 !) My opinion is this that if the work is carried out we shall be providing comfort to the Government servants and if it is not carried out we shall be saving a good deal of money. I, however, oppose the motion.

Chaudhri Zafrulla Khan: May I know what is the expected return on this outlay?

The Honourable Sardar Sir Jogendra Singh: Six per cent.

Mian Nurullah [Lyallpur South, Muhammadan, Rural] (*Urdu*): Sir, I had no intention to speak on this cut but as the Honourable Minister for Agriculture has expressed his desire to know as to what should be done

[Mian Nurullah.]

to the so-called "wasting asset" I should like to say a few words on this point. One suggestion has been made namely that the land should be sold. I think you would do well to act according to this proposal. Lands in the suburbs of the cities are very dear. If you buy a piece of land for ten thousand rupees in Lahore to-day you will be able to dispose it off for not less than 14 thousand rupees after three or four years. So if you do not sell this estate but let it remain its price will go on rising. Therefore, you cannot have us believe that the estate will be a wasting asset if you do not build on it. The honourable member from Mianwali has proposed that the sum which is reserved for the purpose of erecting another bungalow on that estate should be given over to the zamindars. He further remarked that as we demand rooms furnished with best furniture and decorated with silken curtains we should not grudge comfort to the Government servants. But I would like to point out to him that while voting for this demand we should not bear in mind the demands of the rich only. We should, on the other hand, bear in mind the condition and mode of life of the poor peasantry who live in villages. They live in small huts hardly more than 11×12 feet or 10×10 feet in dimensions. The huts have roofs made of straw and unshaped wooden beams. There is hardly any provision for ventilation. The same narrow hut serves the purpose of sleeping, dining, cooking and drawing rooms for as many as 4 to 10 members of the family. You may be inclined to deny the possibility of ten persons sleeping in a small room of so short dimensions. But the honourable members who have any experience or knowledge of rural life of the province cannot but admit the truth of my assertion. I shall just tell you how so many members of the rural family manage to sleep in so small a room. They arrange cots one above the other like shelves in an almirah. The whole arrangement of the cots resembles a railway carriage in which berths are arranged one above the other — or boxes meant for sleeping in European trains. And this is not all. Very often the same room serves the purpose of cattle-shed. Sometimes a buffalo another time a cow or a bullock is accommodated in a corner. The bad smell emitting from their urine and dung would make life of any of us unbearable. But the peasant bears all this without complaint. So we who are here to safeguard the interests of the poor peasants should try to save every penny which can possibly be saved so that we may be able to find money when there is need for giving remission to zamindars. The coming *rabi* crop is going to be very bad from what I see in my district and Government will certainly lose 40 to 50 lakhs of rupees in land revenue. Under these circumstances it will not be a sound policy to spend money on buildings which return no profit.

I cannot agree with the Honourable Minister when he says that we will get full compensation for the money invested on these works. Will any of the Government Members assure me that they will be able to get so much money by way of rent of this building as we shall have to give by way of interest on this sum of 29 thousand rupees? I know it for certain that there are many bungalows to let in Lahore. Government officers cannot complain of the houses being not available. I wanted to buy a bungalow recently and while searching for it, I came to know that many good ones were vacant. The cause of so many houses being vacant these days, is, however, this. Previously the officers enjoyed high salaries and they could

very well afford to live in grand *kothis* but now that the ten per cent. cut is effected in their salaries they have rented houses at lower rates. So whereas it was difficult to find five houses vacant in Lahore in 1926, one can conveniently find twenty-five vacant houses this year. As regards Jhelum, it is altogether a different question. There one cannot find suitable lodgings. Here we can find so many houses. I, therefore, support this cut.

Khan Bahadur Sardar Habib Ullah [Lahore, Muhammadan, Rural] (*Urdu*): Sir, I think it is necessary that the House should look into this matter from another point of view as well. Whenever any such item of expenditure is brought before us it is our foremost duty to consider whether this is going to result in any increase in our revenue or not. If it is evident that the sum proposed to be expended is not going to augment our receipts in any way, we should refrain from giving our assent to it. I do not want that this impression should gain ground in this House that we zamindars are averse to all kinds of development. Our position is simply this. We want to ensure that the public money is not squandered away on profitless schemes.

The Honourable Minister for Agriculture has made a very sporting offer. He has agreed to appoint a committee of the members of this House to investigate and report with regard to the advisability or otherwise of starting this work. But he would do well to let the committee first make their enquiry and if they come to this conclusion that it is necessary to start this work he, of course, can readily get the money sanctioned for it. Moreover, the estate has been lying in this condition for the last four or five years and if it were to wait a few months more no harm will come to it. As far as I remember, the Retrenchment Committee had also made a similar suggestion with respect to this estate. They could not be convinced that it was almost a necessity to spend two or three lakhs of rupees for the sake of Government officers in these days of acute financial depression.

As far as the question of building quarter for an officer in Jhelum was concerned, I agreed to that proposal as it stood on different ground. But the case of Lahore is entirely different. In Jhelum suitable bungalows are not available even if one is prepared to pay a high rent. But here in Lahore one can secure suitable lodgings only if one is prepared to pay for it. The officers who have to pay a fixed percentage of their salaries by way of house rent prefer to secure lodgings through the Government. For instance, if I want to secure a suitable lodging here in Lahore I cannot get one for less than Rs. 150 per mensem. But if I were a Government officer drawing Rs. 700 I shall be able to get a similar lodging for Rs. 70 from the Government. This is why there is a demand for Government bungalows. However, if the Government give this undertaking that they will, within a few months, refer this matter to a committee of the members of this House and acquaint them with all the facts and figures of the estate and that the final decision shall rest with the committee, I shall request my honourable friend not to press his motion.

Khan Bahadur Mian Muhammad Hayat Qureshi (*Urdu*): I want to say only a few words at this stage by way of reply. What I have been able to gather from the speech of the Honourable Minister for Agriculture is, that he himself is not very sure of the advantage that is likely to accrue from the completion of these works. He has promised to appoint a

[K. B. Mian Muhammad Hayat Qureshi.]

committee consisting of the members of this House that will report about the advisability or otherwise of this work being carried out. Then, I would suggest that this demand should be dropped at this stage and if the committee comes to this conclusion that the construction of these works is essential, the Government will have no difficulty in getting this demand carried in the revised budget.

Khan Bahadur Sardar Habib Ullah : Now, you should agree to this proposal.

Mr. President : The question is—

That the grant be reduced by Rs. 31,300 with respect to the item of Rs. 1,16,800, General Administration.

The Council divided : Ayes 15 ; Noes 40.

AYES.

Mr. Manohar Lal.
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.
Sayad Mubarak Ali Shah.

Khan Bahadur Sardar Habib Ullah.
Chaudhri Riasat Ali.
Makhdumzada Sayad Muhammad
Raza Shah Gilani.
Maulvi Imam-ud-Din .
Raja Muhammad Sarfraz Ali Khan.
Mian Nurullah.
Shaikh Muhammad Sadiq.
Chaudhri Ram Sarup.

NOES.

Mr. A. R. Astbury.
Mr. D. J. Boyd.
Mr. H. Calvert.
Lala Labh Chand Mehra.
Mr. E. Mayadas.
Dr. (Mrs.) M. C. Shave.
Khan Bahadur Mian Mushtaq.
Ahmad.
Sardar Bahadur Captain Sardar
Janmeja Singh.
The Honourable Dr. Gokul Chand
Narang.
The Honourable Malik Sir Firoz
Khan Noon.
The Honourable Sardar Sir Jogendra
Singh.
Mr. P. Marsden.
Mr. R. Sanderson.
Mr. F. H. Puckle.
Mr. R. P. Hadow.
Mr. F. C. Bourne.
The Honourable Sir Henry Craik.
The Honourable Captain Sardar Sir
Sikander Hyat Khan.

Mr. J. W. Hearn.
Mr. C. C. Garbett.
Khan Bahadur Nawab Muzaffar Khan.
Mr. S. L. Sale.
Diwan Bahadur Raja Narendra Nath.
Rai Bahadur Lala Sewak Ram.
Mr. Nanak Chand Pandit.
Rai Sahib Chaudhri Kesar Singh.
Chaudhri Nathwa Singh.
Lala Bhagat Ram.
Chaudhri Bansi Lal.
Lala Ramji Dass.
Sardar Bahadur Khan.
Mr. Owen Roberts.
Khan Sahib Makhdum Shaikh Mu-
hammad Hasan.
Sardar Mohindar Singh.
Sardar Sahib Sardar Ujjal Singh.
Sardar Arjan Singh.
Sardar Bahadur Sardar Mohan Singh.
Sardar Gurbachan Singh.
Sardar Bahadur Sardar Sheo Narain
Singh.
Guru Jawsant 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. 37,000.

I move this cut for the same reasons which I gave yesterday with respect to a similar cut. I pointed out at that time that the rates of the Public Works Department are much higher than those of any other department.

Mr. President: That matter was discussed yesterday.

Khan Bahadur Mian Muhammad Hayat Qureshi: What I want is, that a ten per cent. reduction should be made in the total demand. I have not moved this cut on account of any communal consideration. Such considerations are far from my mind. I want only to emphasize that since we are passing through a period of acute financial depression we cannot afford to spend our money so extravagantly as is being spent in this department. Take, for instance, the item of Rs. 3,79,000 under this head. This huge sum is meant for building houses. What surprises me most is the fact that similar work is carried out in the district boards and even in the Canal Department but these departments get their works built at much lower rates than those of the Public Works Department. This state of affairs is certainly very deplorable and I see no reason why such discrepancy in the estimates of two Government departments should be allowed to exist. I should like to quote some instances of the striking disparity which exists between the rates of the Public Works Department and of the district board, Sargodha. The Buildings and Roads Branch of the Public Works Department gets the earth-digging work done at the rate of Rs. 4-8-0 per thousand cubic feet. The work which costs the Canal Department Rs. 3 costs the Public Works Department Rs. 4½. This means an increase of 50 per cent. for which there seems to be no justification whatever. Earth is not removed as some honourable members might think from places near the canal embankments but from places beyond the boundary roads, while in the case of the Public Works Department it is removed from places quite close to the roads. But if the distance is greater two annas are paid as *load*.

The Honourable Sardar Sir Jogendra Singh: I think the honourable member is talking of roads; and roads are not under this head.

Khan Bahadur Mian Muhammad Hayat Qureshi: I am not talking of roads but am talking about the removal of earth for the purpose of filling pits in roads or foundations of buildings or for the purpose of *lipat*. I have been the vice-chairman of the Shahpur District Board for some time and I therefore can claim some experience of the district board works. We used to adopt Public Works Department rates but the district board decided to reduce the Public Works Department rates by ten per cent. Our District Engineer is authorised to sanction works involving expenditure up to two hundred rupees, but works involving greater expenditure are sanctioned by the district board. We have very often received tenders consisting of lower rates. I, therefore, do not understand why the Public Works Department cannot see its way to reduce its rates and have its works executed at reduced rates.

Now, I would like to quote both the Public Works Department and district board rates to show how the former spends more money than is

[K. B. Mian Muhammad Hayat Qureshi.]
 actually necessary. Where Public Works Department pays Rs. 86 per cent. for brick work of the 1st class in lime mortar, the district board pays Rs. 84 per cent. For structure up to 20 feet Public Works Department pays Rs. 88 per cent. and district board pays Rs. 36 per cent. or even less than that. Similarly for B. B. work in mud mortar in respect of foundation and plinth Public Works Department pays Rs. 25 per cent. and district board pays Rs. 24 per cent. For superstructure the former pays Rs. 27 per cent. and the latter Rs. 26 per cent. For B. B. work in cement mortar in respect of foundation in plinth, Public Works Department pays Rs. 60 and district board pays Rs. 54 per cent. and for superstructure the former pays Rs. 70 and the latter pays Rs. 56 per cent. Similar is the case with all other rates. For deodar wood work in plains the Public Works Department pays Rs. 8-8-0 and in hills Rs. 4 per cent. whole the district board pays Rs. 3 in plains and Rs. 3-8-0 per cent. in hills. For *kail* or *bair* or *kikar* work the Public Works Department pays in plains Rs. 3 per cent. and district board pays Rs. 2-8-0 per cent. I think it is now clear that the Public Works Department rates are unreasonable and if the department concerned reduces its rates by ten per cent., a considerable saving can be effected. At least in my district public works are executed at much lower rates.

Sardar Buta Singh : But the district board work is not skilfully done.

Sardar Sahib Sardar Ujjal Singh : When we call for tenders and when we receive tenders for rates below estimates, how do we spend more than is necessary ?

Khan Bahadur Mian Muhammad Hayat Qureshi : That is right but where is the harm if we reduce the rates. With these words I would request the House to consider the motion in the spirit in which it has been moved. I hope the honourable members will see their way to support it.

Mr. President : The motion is—

That the total grant be reduced by Rs. 37,000.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : I can assure the honourable member that I sincerely sympathise with the object that he has in view, that we should economise in all the works that we undertake in the Public Works Department. In 1931 owing to a drop in the prices of materials and labour, a joint conference was held between all chief engineers and superintending engineers of Irrigation and Buildings and Roads Branches and certain basic rates were arrived at and the schedules were revised accordingly. This resulted in a reduction of 15 per cent. in our rates. Prices have continued to drop and our rates have been further reduced by about 5 per cent. all round. The Irrigation Department is further considering the question of the revision of rates and I can assure the honourable member that we in the Building and Roads Branch have also decided to take up the question of further revising these rates and not only to consider the revision departmentally but it is the wish of the department to ask the district board to nominate a representative for consultation in fixing rates for each district. Perhaps the honourable member knows that though the rates may be, as stated, 86 per cent. for brick

in lime in his district the tenders that we receive are very much below the rates, say, as much as ten to fifteen per cent. None of the tenders ever come up to the rates which are shown in the schedules. Therefore the expenditure incurred on behalf of the Public Works Department is not on the scheduled rates but on the competitive tenders which are received. As for the work I am sure the honourable member will agree that it is carried out properly and well. Now that I have explained matters I am sure the honourable member will not press his cut motion.

Chaudhri Allah Dad Khan [Ambala division, North-East, Muhammadan, Rural]: I rise to support the motion. After hearing the speech of the Honourable Minister for Agriculture one is tempted to make one or two remarks. He has admitted that in a conference that was held between the officers of the two branches of the Public Works Department the rates have been twice decreased. From this an estimate can be made of the exorbitant rates that were prevailing before that conference and it is an open secret that in the Public Works Department a good deal of public money is spent in a more extravagant way than in any other department. In fact this is not a secret, it is known to all. Look at the exorbitant rates of profit that the contractors in this department make. When an honourable member of this House who is himself a vice-president of the district board of Sargodha has given facts and figures to show that in each item of contract for which both the district boards and the Public Works Department give contract there is a difference of more than ten per cent. in the rates, there is no reason why the Government should not be able to try this experiment. The conference which he says was held between the officers of the department was quite all right, but still with all respect to the officers I can say that these officers do not know the ins and outs of the contractors and the ways in which they can save money. Here is a gentleman who is a member of the public and who knows the ways of the contractors and in what subtle ways they save money who says that the same work can be carried out at ten or fifteen per cent. less. Why does not the Government at once agree to the suggestion and embark upon the experiment? The Government is always making experiments in many other directions but wherever there is a case of saving money they never do so. If there is a case of launching on a project costing several lakhs of rupees and in which the amount of income is very uncertain the Government is ready to try it and as an instance of this I would quote the two projects, namely, the hydro-electric scheme and the Sutlej Valley Project. No one knew at that time what benefits would accrue from these and yet the Government embarked upon these projects. The conclusion is irresistible and it is this that wherever there is a question of saving money they always hold their hands off but where it is a question of increasing expenditure they never pause to think. It is a strange sort of experiment that is being tried at the cost of the poor zamindars who contribute the largest share towards the income of the Government. It is no good to say that the question will be considered in the committee. When the amount is provided in the budget even if a committee is appointed their minds will be prejudiced by the provision of the amount and they will not like to stop its being spent. I do not say that the members would be consciously influenced to that conclusion but that has been our experience, that when a man is not hard pressed

[Chaudhri Allah Dad Khan.]

for funds for his needs and requirements he always tends to make a liberal estimate of the amount to be spent. As the Honourable Minister in two other instances which we discussed before promised some sort of concession that he would think twice before launching on those schemes for which provision had been made, if he makes a similar concession about this item as well, I may suggest that the honourable mover might withdraw this motion. If the Honourable Minister cannot make such an announcement the motion should be pressed and pressed as vigorously as possible. With these words I support this motion.

Khan Bahadur Mian Muhammad Hayat Qureshi (Urdu): Sir, as I have already said I have not been guided by any communal considerations in moving this cut. The idea is to avoid the unnecessary and unlawful expense. If the department concerned agrees to what I have said I am sure a considerable saving can be effected. Some honourable members have said that district board works are not as skilfully executed as those of the Public Works Department. It may be so but I think that works executed by the Canal Department are in no way inferior to those executed by the Public Works Department, on the other hand they are in certain respects far superior to them. I therefore see no reason why the rates sanctioned by the Building and Roads Branch should not be as low as those of the Canal Department. It has also been said by some honourable members that when we call for tenders and we accept the lowest rates there is no harm if the fixed rates are not as reasonable as they ought to be. Of course if the officer calling for tenders is an honest person there would be no harm. But if he is dishonest he would direct the contractors to submit tenders at specified rates and you know that they would not dare to go against that direction. I think if the Honourable Minister pays a little attention to the matter he would be able to save lakhs of rupees. I would also make one request and that is that the committee which the Honourable Minister proposes to appoint to enquire into this question should also consist of some officers of the Canal Department. They would prove very useful. However, in view of the assurance given by the Honourable Minister for Agriculture I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Mr. President: Question is—

That a sum not exceeding Rs. 3,79,300 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 1934 in respect of Civil Works (Capital Expenditure).

The motion was carried.

HYDRO-ELECTRIC BRANCH (ESTABLISHMENT CHARGES).

The Honourable Dr. Gokul Chand Narang: I move—

That a sum not exceeding Rs. 6,35,900 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 1934 in respect of Hydro-Electric Branch (Establishment Charges).

Mr. President : Motion is—

That a sum not exceeding Rs. 8,35,900 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 1934 in respect of Hydro-Electric Branch (Establishment Charges).

Sardar Buta Singh (Multan division and Sheikhpura, Sikh, Rural)
(Urdu) : Sir, I beg to move—

That the grant be reduced by Rs. 16,700 with respect to the item of Rs. 16,700, pay of Deputy Chief Engineer.

A few days ago when in my budget speech I particularly stressed the point that my fellow zamindars have fallen on very evil days and unless some special relief in the form of remission in land revenue and water-rates is granted to them matters would not improve in the least, some honourable member asked me how to remedy this state of affairs. I replied that every item of the budget should be carefully scrutinised and economy to the utmost extent should be effected in the expenditure. We should see which of the posts in different departments are really unnecessary and redundant and take steps to bring them at once under reduction. Yesterday the Honourable Minister for Local Self-Government stated that the hydro-electric power would in the beginning be supplied to 15 towns only. If that is the case I wonder why a department which is responsible for working out a scheme not beneficial to the zamindars of the province, should at all be supported. There is already one Chief Engineer and I do not see what justification there is for the appointment of a Deputy Chief Engineer as well. This post is surely redundant and is nothing but a post office. We always urge upon the Government the advisability of bringing under reduction posts which are in fact redundant, but all our efforts go in vain. I would invite the attention of the House to pages 438 and 439 of the budget estimates. There you will see that Rs. 84,940 are provided for 12 local managers of the 1st grade and Rs. 24,480 for 12 local managers of the 2nd grade. These Indian gentlemen possess British qualifications but their starting salary both in the case of local managers, 1st grade and local managers, 2nd grade is Rs. 200 and Rs. 150 per mensem, respectively. As you know, they had to incur heavy expenditure in order to qualify themselves for these posts. But the Deputy Chief Engineer is paid so high a salary for doing nothing. Is this the way how the Government is trying to Indianise the services? My object in moving this out is to urge upon the Government the desirability of effecting economy in this department. Yesterday when the Honourable Minister stated that the scheme was going to benefit the urban people, I was inclined to think—

The Honourable Dr. Gokul Chand Narang : Perhaps the honourable member was not then present.

Sardar Buta Singh : The Honourable Minister said that efforts would be made to bring the power within the reach of the zamindars.

Khan Bahadur Sardar Habib Ullah : No such assurance was given.

Sardar Buta Singh : I think the Honourable Minister said that. Anyhow I feel that this scheme is an unnecessary burden on the zamindars. There is still another point of view from which I look upon this department and that is that there are only 8 Sikh zamindars out of 258 employees of the

[Sardar Buta Singh.]

department. This is a grievance of my community and it should be redressed. I do not want to take much time of the House. I commend my motion for the acceptance of the House.

Mr. President : The motion is—

That the grant be reduced by Rs. 16,700 with respect to the item of Rs. 10,700, pay of Deputy Chief Engineer.

Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural): Sir, I rise to support the motion moved by the honourable the Deputy President. One of the reasons why I do so, in fact the chief reason for it is, that wherever I see the prefix 'deputy' before any post or any officer it connotes to me at least that it is nothing but a post office and no actual work is done by that officer. (*Laughter.*) Whether you take the Deputy Registrar of Co-operative Societies, whether you take the Deputy Superintendent of Police, the Deputy Inspector of Schools, the Deputy Director of Agriculture or any of the many deputies, my remark applies all the same, of course excepting the Deputy Commissioner.

Now, the post of Deputy Chief Engineer, I would submit is as redundant as the other deputies or rather more. There are
 4 P. M. three chief engineers as everybody here knows. There are executive engineers in charge of divisions, there are sub-divisional officers and because of there being so many officers, I do not think there is any necessity of a deputy chief engineer in this department. This is no doubt a luxury and in these hard times, as I have said over and over again, we cannot afford any luxury. We can have only that number of officers which we require or in other words which is a necessity.

It has been argued many times on the floor of this House that our only future hope of making both ends meet so far as the provincial expenditure is concerned, lies in effecting measures of retrenchment and in curtailing our expenditure. The more we do that, the more it will be easy for us to live and to live well. With these words I support the motion moved by my friend.

Mr. A. R. Astbury (Secretary, Electricity Deptt.): Sir, in England when we were children we sometimes played a game of chance "Eena Keena Dyna Do." It consisted in blindfolding the children and making them put a pencil down at random on a number of spots. This is what seems to have happened in this case because neither of the speakers who have preceded me have given any reason whatever for selecting this particular officer for their remarks except the last honourable member who objected to the word 'deputy.' If he objects to the word 'deputy,' he should also object to the title held by the proposer of the motion.

I would like to say something on the general question of operating estimates. In 1930 an estimate was made of the cost of wages and salaries for operating the hydro-electric scheme. That estimate was made by the late Colonel Battye. It amounted to Rs. 8,71,000. When the Inquiry Committee sat it considered that that estimate was insufficient and it added a sum of one lakh of rupees to that estimate, making it Rs. 9,71,000. I would ask this House to compare that estimate with the demand which is now before us. If they do so they will see that the present demand is

less by about 3½ lakhs. The estimate made by the Inquiry Committee referred only to the main distribution scheme whereas the figure in this demand refers not only to the main distribution scheme but also to the local distribution scheme and it amounts to Rs. 6,85,900. Now, when you have an immense reduction of that sort in the general figure, one cannot say that there are general grounds for complaining of lack of economy. Economy has been very carefully observed. I may say that the original estimate of establishment provided for two superintending engineers. Perhaps the last speaker would like to know that the pay of a superintending engineer was proposed as Rs. 1,750 rising by increments of Rs. 100 to Rs. 2,150, whereas the pay of this officer, although his name is deputy, is proposed to be Rs. 1,250 rising by Rs. 50 instead of Rs. 100 to Rs. 1,500 instead of Rs. 2,150. Moreover only one officer is proposed instead of two.

On the ordinary human grounds I would like to say on behalf of the Chief Engineer who is faced in the coming year of operation, that one should have regard for his responsibility for a scheme which has cost about five million pounds. It is an extremely heavy responsibility. He is going to undertake the giving of the public service throughout a large area of this province—service of a kind which has never been given before. He has just one man under-studying him. In case he falls ill, in case anything happens to him, there is only this one man and that is the deputy chief engineer. You take him away, what is going to happen to your big scheme. I have nothing more to say, Sir.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government): I do not want to make a speech, but I want to clear a misunderstanding. Yesterday when Sardar Buta Singh made his speech he put a definite question to me and that was whether lands near the towns and small scale factories similarly situated will have the benefit of the electric power or not. He was not here when I gave my reply. In the course of that reply I definitely stated that they would be supplied with electric power. The only doubtful thing about yesterday's question was whether electric power could be taken to remoter places and remoter fields where it may be required for cultivation. That was probably the reason for the honourable mover for pressing the motion but it is just possible it was due to a misunderstanding, otherwise it is possible that he might never have moved this motion. He gave another reason for pressing this motion and that was that the post of the deputy chief engineer was not necessary. I think it would be a waste of time for me to say anything more on this point than what has been so beautifully stated by Mr. Astbury. There has been a reduction of several lakhs in the cost of establishment and if after this anybody has the courage to say that economy has not been observed I think, to say the least, he would not be very fair in his criticism of this department.

Another point that Sardar Sahib has made is this and it is also made as a ground of attack on this department and that is that in the establishment he has pointed out that there are only eight Sikhs out of 58. I am not quite sure what establishment he is taking but I can assure him that no Sikh properly qualified has been rejected. He should understand that there are not many Sikhs who have qualified themselves in England or even in any place in this country who may be properly considered as qualified to hold

[The Hon. Dr. Gokul Chand Narang.]

a post either of a first grade or of a second grade local manager. I think the representation given to the Sikhs is not below the share due to them. I am quite prepared even now to revise any applications to which he may point, made by the Sikhs for any jobs in this department and I shall, I hope, be able to convince him that the claims of no Sikhs have been rejected—in fact the claims of nobody who was properly qualified have been rejected. Only those have been taken who were considered by the experts in the subject to be best qualified for the jobs which were given to them. I hope in the light of this explanation the honourable mover would withdraw his amendment.

Sardar Buta Singh : I do not agree with all that the learned Minister for Local Self-Government has said in his speech to-day. Perhaps he misunderstood me. I did not say out of 58, but I said that out of 258 there were only eight posts held by members of the notified agricultural Sikhs. But after his assurance that if anybody brings forward any grievance, the Honourable Minister will try to redress it, I do not wish to press my motion and beg for leave to withdraw it.

The motion was by leave withdrawn.

Mr. President : The question is—

That a sum not exceeding Rs. 6,35,900 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 1934 in respect of Hydro-Electric Branch (Establishment Charges).

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 sum not exceeding Rs. 6,85,400 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 1934 in respect of Hydro-Electric Scheme—Working Expenses.

Mr. President : Motion is—

That a sum not exceeding Rs. 6,85,400 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 1934 in respect of Hydro-Electric Scheme—Working Expenses.

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur, West Muhammadan, Rural) (Urdu) : Sir, I beg to move :

That the total grant be reduced by Rs. 70,000.

As is evident from the note attached to the notice of this motion I wish the Government to secure as much economy as possible in the expenditure on this department. I need not say over again what I said yesterday in another connection that the estimates of works are not prepared very carefully or that higher rates for works are allowed to the contractors and so on. What I mean to say is that there is ample scope for economy if only the Government and its officers were to take a little more trouble to scrutinise every item of expenditure. I hope that my remarks will be taken in the

spirit in which I have made them and that further efforts will be made to bring down the expenses. With these words I commend my motion for the acceptance of the House.

Mr. President : Motion is—

That the total grant be reduced by Rs. 70,000.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : Sir, I rise to support this motion. This is moved only in order to call the attention of the Honourable Minister to a certain method which my honourable friend has been proposing for some days. Up to this time this suggestion which is full of promise of a good deal of saving has received poor response from the Honourable Minister for Agriculture, for whatever replies he has made to the debate are only a sort of evasion and he has never shown any inclination to undertake the experiment by which the extravagant expenditure of the State can be reduced. Let us see if we fare better with the Minister for Local Self-Government. He was approached by my honourable friend a few days ago but with no better prospects, but the present case is a particularly strong one. On the scheme we have already spent more than was anticipated or ever thought of. Originally the scheme was sanctioned for four crores and fifty lakhs, but up to this time about six crores have been spent upon it or will have been spent by the time the scheme is inaugurated. The expenditure is very much over and above what was contemplated at the outset. If this Council had known in the beginning that the scheme would cost no less than six crores, I am sure it would not have allowed such a big scheme to be launched even in the conditions in which the finances of the Punjab Government were at the time the scheme was brought in.

Another reason for this is that now that the work is nearing its end there is all the more need for economy, for at this time whatever is saved will be saved at a time of great need and necessity which will be used for some better object. Therefore there is no reason why this advice should not be accepted. I wonder why no readiness is being shown by the Honourable Ministers and other members of Government to try this experiment. Here is a member of the Council who has been a vice-chairman of a district board and he has tried a scheme and has found it very profitable. Why is not there even a promise on the part of honourable members of Government to make an honest attempt to curtail expenditure as much as possible in all directions. The conclusion is that no advice appeals to the official members. Perhaps they think that this Council is after cutting down every demand that is brought before it, but this is not the attitude of the honourable members of this Council. It has been expressed not by one or two members but by several members that our honest opinion is to impress upon the Government the method by which the expense can be saved. Why not say that you will reduce the expense by 10 per cent.? Even the Canal Department has tried the experiment and no one can say that the works executed by the Canal Department are in any way inferior to those executed by the Public Works Department. This only shows one thing and that is that the contractors who have been making huge profits are paid higher rates.

Mr. A. R. Astbury : The subject under discussion is working expenses.

Chaudhri Allah Dad Khan : I am discussing the working expenses of the scheme. What are working expenses except those rates to contractors and so forth? These things are surely included in the working expenses.

Mr. A. R. Astbury : Working expenses are not rates to contractors.

Mr. President : Will the honourable member please speak to the motion under discussion?

Chaudhri Allah Dad Khan : What I am saying is that economy should be secured in this department. Whatever the working expenses are, to them should be applied this method.

Mr. President : Which method?

Chaudhri Allah Dad Khan : The method suggested by my honourable friend. Economy can be effected by giving 10 per cent. less rates. In fact in whatever way they can make an attempt, I think they should make it. I think I have said enough but will say just one word more. There is a Persian verse which runs :

اگر در خواب بطروش نباشد کوشها مائب—بهر فری می توان تقویر کرد در دلتا

There should be no interruptions when a member is speaking. Government members have the right of reply and they can say what they like at that time. They should not however interrupt a speaker while he is in the middle of his speech. I do not personally much care for interruptions but there are members who are discouraged by the interruptions and they are even silenced at times.

Mr. A. R. Astbury : Is the honourable member in order in giving a lecture?

Mr. President : No, he is not.

Chaudhri Allad Dad Khan : With these words I bring my remarks to a close.

The Honourable Dr. Gokul Chand Narang (Minister for Local-Self-Government) : Sir, I think so far as the motive of this amendment is concerned, if it is really economy, it is most laudable and the honourable mover and this House have my full sympathy. But unfortunately the motion that has been made does not seem to possess any practical value even as a suggestion. A glance at the pages of the budget volume will show over what a large field this expenditure is spread and unless the honourable mover or any other honourable member lays his finger on a particular item which is capable of reduction, it is really impossible to accept the amendment made in this general and vague manner. It is really a suggestion for economy and so far as it is a suggestion for economy or scrutiny of expenditure, there is absolutely no hesitation on the part of Government to accept a suggestion for general economy, but if this amendment has reference to any exact amount of rupees, annas and pies, then I would expect something more than the speeches have shown in support of this amendment. Generally, as I said yesterday, there is not a single item in the budget which is not very carefully scrutinised and in which expenditure is not cut down to its last penny. (A voice : Then there is no need for all this budget discussion). I am very glad to hear these speeches. It would be a pity if no matter was

left for any budget speeches. They are most welcome but all that I can say is that if it is really intended that a reduction in expenditure should be made, then it is necessary to point out an item which can be reduced or a head under which a reduction can be affected. As a general suggestion for economy it is most welcome and I am very grateful for it. There is no reason to believe that officers have been careless in compiling these figures or that the Finance Department has not done its duty in scrutinising these figures before placing them before this House. I would therefore expect that the honourable member after this assurance of mine that Government has been observing economy and would observe economy and will see to it that all this money is not spent in a blindfold manner and that all the expenditure will be carefully scrutinised—after this assurance I hope the honourable member will withdraw his amendment.

Khan Bahadur Mian Muhammad Hayat Qureshi (Urdu): Sir, the Honourable Minister has said that no method has been suggested by which a reduction in the expenditure of all these departments could be effected. In the budget, details are not given. Only the work for which the money is required is mentioned. Therefore it is difficult for the members to enter upon the discussion of a particular item with complete knowledge about it. As regards the Hydro-Electric Department we cannot say anything about its work which is done by contract. Most of the work is iron work but still this department has got some work of the nature to which I have referred. There must be some building work of this department. So far as that work is concerned, economy can be effected by adopting the lowest possible rates. I suggest that there should be a committee consisting of the representatives of all the Government departments to fix rates for different works. This would secure uniformity of rates in all the departments. Moreover, this would make co-operation possible between the different departments of Government. If this is not done there is a possibility of some one department with low rates suffering, for the contractors will always prefer to undertake to do the work of some other department with high rates. By bringing forward this cut my purpose was to bring it to the notice of the Government that there is a possibility of effecting economy in the way I have suggested. With these words, Sir, I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Mian Nurullah (Lyallpur South, Muhammadan, Rural), (Urdu): Sir, I beg to move—

That the grant be reduced by Re. 1 with respect to the item of Rs. 6,85,400, Hydro-Electric Schemes—Working Expenses (Transferred).

Sir, the purpose of moving this motion as given in the note is to urge the necessity of starting demonstration farms to encourage the use of hydro-electric power for agricultural purposes. In the beginning when the sanction of this Council was required for the expenditure that has been incurred on this scheme, the Government painted rosy pictures about the future prospects of the zamindars that would become possible by the improvement of agriculture with the help of electric power. The zamindars agreed to such a huge expenditure hoping that after the completion of the scheme

[Mian Nurullah.]

advantage will accrue to them. But now when the hydro-electric scheme has been completed, the Government is telling us that at present it is not possible to supply power to the zamindars, and that it would require at least as much capital as has already been invested on this scheme to supply power to them for agricultural purposes. The money that has been spent on this scheme was obtained by selling lands to the zamindars. The zamindars who purchased lands are still paying instalments and in many cases it has become very difficult to pay instalments on account of the low rates of the produce of the land. I know of a case in which a zamindar purchased a square of land for Rs. 35,000 but on account of such adverse circumstances as are at present prevailing he had to sell his four squares of Lyallpur and his new square in Montgomery and he is now ruined. This is only one instance; there are many in which zamindars have been ruined by purchasing land. All money that they had hoarded during the war days on account of high prices they spent on the purchase of land. It is with this money that the Government has carried out the hydro-electric scheme. It is but fair that the Government should now keep in view the interest of the zamindars by giving them some benefit from this scheme.

The Deputy President said that in the hydro-electric department a very small share of the posts has been given to the zamindars of the Sikh community. I quite agree with him and I think if the facts and figures were examined the representation of the zamindars whether Hindus, Muhammadans or Sikhs must be found very meagre. The Deputy President said that out of 258 there are only 8 Sikh zamindars. I think that the total zamindar element in this department may not be more than 10 per cent. By the time the second stage of the scheme is started the Government should start demonstration farms to encourage the use of hydro-electric power for agricultural purposes. If the Government succeeds in popularising the use of the hydro-electric power for agricultural purposes I think it would prove to be very useful both for the zamindars and the Government. If chaff-cutters are worked by electric power much time of the zamindars will be saved and he would be able to give more time to other agricultural pursuits. By the use of electric power the zamindars will be able to make agriculture more profitable. The Government can also bring more waste land under cultivation. In his report Colonel Battye says that by the application of the hydro-electric power to agriculture about 2½ million acres of land can be brought under cultivation. If it is true, then the Government should not hesitate to sink tube-wells in those areas and to popularise hydro-electric power for agricultural purposes. This will bring more revenue to the Government as well as enable the zamindars to be more prosperous. By spending a little more money the Government can derive much more benefit out of hydro-electric scheme. It should at once start demonstration farms so that after the second stage is completed you may find the zamindars willing to purchase electric power for the purposes of agriculture. The Government in order to bring home to the zamindars that hydro-electric power is really useful for agriculture should give power at nominal prices to companies who may undertake to do the work of making it popular amongst the zamindars. I do in the end want to press the necessity of demonstration farms.

Mr. President : Motion is—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 6,85,400, Hydro-Electric Scheme—Working Expenses (Transferred).

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) (*Urdu*): Sir, I am glad that my honourable friend has suggested that demonstration farms to encourage use of hydro-electric power should be started for agricultural purposes. Without wasting the time of the House I assure him that I have no objection to the acceptance of his proposal. I will make early arrangements to give a practical shape to this proposal. Orders may be issued to-morrow to the Chief Engineer to forward a note explaining how this end can be achieved as soon as possible. In order to encourage the use of hydro-electric power for agricultural purposes it is necessary that at Lyallpur where other sorts of demonstrations are also given, arrangements for demonstrating how water can be lifted with electric power should be made, and along with it, experiments as to how much area in a given time can be irrigated and at what cost should also be made.

Similar arrangements for the demonstration of cutters and sugarcane presses worked by hydro-electric power can be made at Lyallpur. But before starting such a demonstration it is necessary that expert opinion should be obtained. I have seen that in the Agricultural College, Lyallpur, there is a well which is worked by electric power. I do not know how many units of electricity are consumed to work it for an hour and what it costs. I do not know whether water is lifted out of this well by electric power at an economic basis. Anyhow such experiments can be made. I hope in view of all that I have said the honourable member will withdraw his motion.

Mian Nurullah (*Urdu*): Sir, I am very grateful to the Honourable Minister for the sympathy that he has shown and for accepting my proposal. He has suggested that demonstrations should be started at Lyallpur. So far as demonstrations of cutters and sugarcane presses are concerned, Lyallpur is a suitable place but so far as lifting water is concerned it is not a suitable place, because the water is not good for agriculture. Jullundur, Hoshiarpur, Gurdaspur and Amritsar are comparatively more suitable places for demonstrating how water can be lifted out of wells by hydro-electric power. I would also suggest that these demonstrations may be given by utilising power from the main current. As the Honourable Minister has accepted my proposal I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Khan Bahadur Mian Ahmad Yar Khan Daultana (Muhammadan Landholders): I beg to move—

That the total grant be reduced by Rs. 1.

The hydro-electric scheme is considered to be one of the two white elephants which have made our great province very poor. The Government is blamed as far as the capital expenditure is concerned, for having tried to get rid of the surplus that the province had and its working expenses. I am afraid this will be a permanent night-mare to the financial peace of this province. It is a double folded irony of fate that I stand up to move this motion, I, whose illustrious leader got the sanction of this House for this project and it is equally a great irony of fate that my honourable friend

[K. B. Mian Ahmad Yar Khan Daultana.]

Dr. Gokul Chand Narang should be in the cabinet to defend this scheme (*laughter*). Sir, before I come to the subject proper I just quote one or two sentences from the eloquent and masterly speech of my able friend Dr. Gokul Chand Narang on the 30th of July 1929, that is to say, three years seven months and seven days ago. He said—

It is really, as I have submitted, a great irony of fate that the antagonist of this scheme should be forced to turn into a protagonist of this scheme. My heart goes out in sympathy to poor Sardar Jogendra Singh who has been placed in this position.

I sympathise with my friend in the same words that he used for the Honourable Minister for Agriculture (*laughter*).

The Honourable Dr. Gokul Chand Narang : It is a distinction.

Shaikh Muhammad Sadiq : That is an irony of fate.

The Honourable Dr. Gokul Chand Narang : No irony of fate.

Khan Bahadur Mian Ahmad Yar Khan Daultana : If I read to you the whole speech it would be a strange example of an irony of fate, but I will only read one or two other sentences. My able friend Dr. Gokul Chand Narang was pleased to say only three years ago—

And so far as the laymen who sat in this Council were concerned they did all within their power to warn the Government against launching this province upon this ruinous scheme.

And then he was also pleased to say—

Just as Taj Mahal was a sepulchre of love, perhaps this scheme was going to be the sepulchre of the Punjab money.

This is only as far as the real or the genuine views of our able friend are concerned. Now, there must be some reason for the members of this party whose respected leader brought this scheme forward and got the sanction of this House to stand up now and to condemn it, and there must be equally strong reasons for the Honourable Minister for Local Self-Government to try to defend that scheme. I am a great admirer of the courage of the Honourable Dr. Gokul Chand and I do not think for a moment that the lust of office or the greed for money or the feeble bonds of official etiquette have made him support this scheme. There must be really some very very strong reasons for his change of views.

The Honourable Dr. Gokul Chand Narang : No.

Mr. Manohar Lal : Sense of duty.

Khan Bahadur Mian Ahmad Yar Khan Daultana : I believe that it is the sense of duty that has made him support this scheme. A man of Dr. Gokul Chand's nature who is not a "coward" will not accept such a duty in which he has to speak against his conscience and convictions.

The Honourable Dr. Gokul Chand Narang : Why bring these things in? Is he, Sir, not making assumptions which have nothing to do with the subject? He is making unnecessary personal references. I can controvert every charge that he has brought against me, but I think it is unnecessary.

Khan Bahadur Mian Ahmad Yar Khan Daultana : I want to explain the position of this party whose leader got this scheme sanctioned by this House.

Mr. President : The honourable member should avoid being personal.

The Honourable Dr. Gokul Chand Narang : The motion is about the working expenses and not the policy or any principle involved in the scheme.

Khan Bahadur Mian Ahmad Yar Khan Daultana : I have said at the outset that the working expenses of this scheme will be a permanent nightmare to the financial peace of this province and as far as the capital expenditure is concerned a blunder was made and the money has been spent. I am more concerned with the permanent financial disaster that awaits us in this province.

Mr. President : But that matter is not now before the House.

Khan Bahadur Mian Ahmad Yar Khan Daultana : I wanted to say this. Before I proceed to discuss this scheme I must give some justification for having brought up this motion to condemn this project, because after all we are not the people—

The Honourable Dr. Gokul Chand Narang : Is that permissible on a motion for one rupee cut? This is really intended to discuss some particular aspect of the motion before the House.

Khan Bahadur Mian Ahmad Yar Khan Daultana : My motion is absolutely quite simple and the House can discuss the whole scheme as it is.

The Honourable Dr. Gokul Chand Narang : That is not permissible.

Mr. President : According to Parliamentary Practice—

The main principle which governs debate in the Committee of Supply is relevancy to the matter which the question proposed from the Chair submits to the Committee.

Now the demand relates to working expenses, and not money spent on the hydro-electric scheme. So the scheme should not be discussed, but if in discussing the demand for working expenses the honourable member can make any references to the original scheme relevant to the debate he is welcome to do so.

Khan Bahadur Mian Ahmad Yar Khan Daultana : The zamindar members of this House thought that this scheme was meant for their benefit to make the cost of production cheaper and that it was not to benefit the places which were already benefited by electricity. That was the impression of some of the members rightly or otherwise when they gave their vote to this white elephant.

The Honourable Dr. Gokul Chand Narang : Therefore, if at all?

Khan Bahadur Mian Ahmad Yar Khan Daultana : We find that the scheme unfortunately went from the hands of zamindars to the hands of an anti-zamindar and those who originally opposed it did so simply for the benefit of a few companies and later on welcomed the scheme as they might have thought that the urban areas were going to benefit at the cost of the rural areas. This is the unfortunate view that I take.

The Honourable Dr. Gokul Chand Narang : When did they welcome it?

Khan Bahadur Mian Ahmad Yar Khan Daultana : We had been told that the villages of the entire province will be benefited by the activities of this scheme. Had we known that this was only meant to replace a few companies in Lahore, Amritsar or other places, after the expiry of the long leases and add a few more places to this scheme, I assure the House that this part of the House would never have given its assent to this scheme. (*Hear, hear.*)

The Honourable Dr. Gokul Chand Narang : Why did you not inquire ?

Khan Bahadur Mian Ahmad Yar Khan Daultana : Whatever has been done cannot be undone (*hear, hear*). I am personally against this scheme because this scheme has been a cause of the ruin of the Sutlej Valley Project. How ? I am going to tell you. It was the extraordinary receipts of the province in which the proceeds from the sale of Nili Bar lands had the biggest share.

The Honourable Dr. Gokul Chand Narang : Has that anything to do with the working expenses ?

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

Khan Bahadur Mian Ahmad Yar Khan Daultana : I have just uttered a sentence and he has stood up, let him hear me and he will be convinced—

The Honourable Dr. Gokul Chand Narang : It is not a question of being convinced. The question is how it is relevant to the present motion to state what effect it had on the Sutlej Valley Project. The honourable member was proceeding to say that he would prove that the 'Sutlej Valley was ruined by this scheme. He should first show how it is relevant.

Khan Bahadur Mian Ahmad Yar Khan Daultana : This scheme has been a cause of the ruin of this province in general and of the Nili Bar in particular because it was the extraordinary receipts of the Nili Bar that were eaten up by this scheme and the debt incurred for the Sutlej Valley Project remained as it was and not a pie from the proceeds of the sale of lands has been paid in lieu of the loan.

5 P.M.

Mr. President : The main, if not the sole object of motions for nominal reductions is to criticise the policy, actions and administration of Government. The demand under consideration relates to the working expenses of the hydro-electric scheme which is now a thing of the past. So, whatever the Government and its officers did in connection with that scheme, can be dismissed, if at all, only under the demand now before the House.

The Honourable Sir Henry Craik : On a point of order. I understand that the honourable member is trying to criticise past administration and past policy in regard to the hydro-electric project. I trust that you and the honourable member will bear in mind that every single penny spent on the project was spent with the full approval of the Council. Every single vote was submitted to the Council and passed and no money could have been spent or was in fact spent without the full approval of this Council. The honourable member is therefore criticising not only a Government which no longer exists, a Minister who is no longer a Minister, but he is attacking the wisdom of the position this Council had taken up.

Mr. President : That is what the honourable member is doing. If honourable members of the House say that they granted big amounts on the understanding that the hydro-electric scheme would be beneficial, but they now think that they were wrong, can they not say so? Even if the matter is doubtful, I am inclined to give them the benefit of the doubt.

Khan Bahadur Mian Ahmed Yar Khan Daultana : I am a layman and I am afraid that I cannot condemn the scheme from the expert's point of view. It is unfortunate that in this session the views of only one party could be heard in this House. I welcome my honourable friends sitting there (*pointing to the Hindu benches*) but I am sorry that they have only come to watch the proceedings on behalf of certain gentlemen. It is a pity therefore that we are deprived of the benefit of the advice of the honourable member from the University and other able members in that section of the House. For my part I shall discuss the scheme from a general point of view, from the point of view of an agriculturist. I have already submitted that a lot of money was spent on this scheme and the Honourable Minister should have welcomed my remark that "what is done cannot be undone." But I am afraid that we cannot place this province in a state of permanent insolvency. This is a scheme which will never help the stabilisation of the financial position of this province, unless we come across some extraordinary receipts from somewhere or have fresh sources of money. The question is, wherefrom are these extraordinary receipts to come? In this province our sources of revenue are known to every one and it is not possible to make any considerable addition to the present sources. Extraordinary receipts from any new source are therefore out of the question. One can have new kind of taxation levied on those who are likely to take advantage from this project. Whom is this project going to benefit? It is going to benefit those who do not contribute to the coffers of this province unless they drink or go to courts. The people who are paying about 98 per cent. of the revenues of the province are not going to be benefited by this scheme. That is my chief reason why we should not commit ourselves to further expenditure on it. Like my honourable friend Mian Nurullah I want that the scheme must not be extended any further. Let the areas which are going to benefit by it pay for it at least for the working expenses. We, people of Multan, do not want to be burdened with a share of the expenditure on this project for we did not want it. I see the honourable Minister laughs but I am not making any strange observation. There is another white elephant, I refer to the Sutlej Valley Project, the cost of which the people of that area are being asked to pay. That is an instance where the irrigation under the particular project is much inferior to other flourishing canals. Yet that project has to pay higher Government dues because Government say that so much money has been spent for that scheme and that the area benefited by it should pay for it. What is the reason for the attitude of Government in this matter? It is because the irrigation canals are the Government's monopoly and no one is allowed to compete. But in this case, Government feel that if they put up their price their scheme would come to an end in two days. I shall show later when speaking on my cut relating to the Sutlej Valley Project how the Canal Department is a commercial concern only in name and how it makes a misuse of Government monopoly.

[K. B. Mian Ahmad Yar Khan Daultana.]

So far as this scheme is concerned, our view is not to weep over the spilt milk. We only want that the areas which are going to get the benefit should pay for it and that those areas which do not derive any advantage from it should not be asked to pay anything for it.

I have one more point and that is this. So far as the zamindars of the province are concerned, their money has been spent already on the scheme to such an extent that they do not want to be subjected to pay the working expenses on it. They cannot afford to pay anything in this direction; they are badly in need of remission. If only the areas which are going to be benefited by this scheme are made to pay and the provincial revenues are not burdened by the working expenses of this project we shall have sufficient funds with which to relieve the needy zamindars. The Sutlej Valley Project is paying for itself; people in the Nili Bar are paying much higher rates than those on the more flourishing canals of the province for the reason that Government had to spend more money on the Nili Bar. Why not apply the same principle to the hydro-electric scheme as well? Let the urban people pay for it at a higher rate. The working expenses of this project will be increased every year and the expenditure will be a great burden on our finances. As far as the zamindar members in this House are concerned, they do not want any benefit from this scheme provided they have not to pay for it. I feel that it is not easy for the Government to sell the power at a dearer rate than that of the various companies which are now working in Lahore and Amritsar. In that case I think we should have some additional taxation on the areas through which this project passes.

As I expect my honourable friend Mr. Owen Roberts will be able to discuss the other aspects of this scheme, I wish, before I sit down, only to repeat what I have said that the zamindars of the province do not want the scheme and they do not want to pay for it.

Mr. President : Motion is—

That the total grant be reduced by Rs. 1.

Mr. Owen Roberts (Non-official, nominated): Sir, I wish to avoid the pitfalls that my friend faced when he commenced his speech and I will do so by explaining at once that the point I wish to raise is one which is undoubtedly connected very materially with the prosperity of the project. It is one that has not been dealt with in the past, but if I apply to it one test which you suggested just now, I find that it reacts correctly. It is not a point that I can bring up in connection with any other grant before us.

If all that has been said on this subject in this Council were collected it would make quite a large volume in itself. And I think the part taken—I am not going to make personal references by way of reproach—the part taken by the honourable member who is now in charge of the subject, I mean the Honourable Minister, is one which everybody will agree does him credit. I also hope, and I am sure the House will be with me, that his zeal will be as great in conducting the business side of this scheme as it was in condemning it as a project, and that in this case, at any rate, his zeal will be more productive of results.

I do not think it will pay any of us to go into the past history of the subject. The technical side of it is far too difficult for anybody here to express an opinion on short of a thoroughly capable technical man; and whatever has happened has happened. The point that we have now got before us is to see how the scheme can be made, if not to pay, at any rate to show as small a loss as possible to provincial revenues, because I think it is doubtful that we can hope that it will pay its way for some years to come. There are actually two points worth discussing. The first of these is economy of management and the second is the relations this scheme will establish with the public which it will be called upon to serve. On the point of economy I propose to say nothing directly. There have been several cuts to suggest economy and I am sure people much more capable than myself, will deal with that side of the question. Coming to the second point, I have as much right as anybody else to see that I get service on reasonable terms, and reasonable terms I interpret as something more than the rate which I may be charged. There are surrounding conditions. Before I get down to those conditions I may be permitted to say a word in sympathy with my friend who has just spoken and with others who think like him. We have now come to the stage when the capital that has to be spent on the scheme has practically been spent and my friends are beginning to see in front of them a large annual recurring expenditure, and have very great doubts as to whether the revenue arising from this expenditure will ever cover the cost of maintenance of the huge public department which is being launched in the province. It may seem unreasonable to think this way, but there is such a thing as the fear of the unknown; and fear of the unknown is recognised as the most serious fear that man has to face. That is the fear which many of my zamindar friends are facing to-day. They do not know where the expenditure on the scheme is going to stop. They do not know how much they may be called upon to find to meet the difference between the revenue received and the cost of running the department; and that, after all, considering the state of affairs to-day, is not an unreasonable fear. It is at any rate one that must be taken into account.

The point at which this department will come into touch with the public is in taking out its licences. I have no details, but I believe a very large number of licences have been taken out by the Punjab Government in its own favour and in taking these out it has used its powers to exclude itself from the operation of clauses 1 to 6 and 8 to 12 of the schedule of the Electricity Act, clauses which ordinarily form a part of every licence. I will not go through those clauses in detail, though a very great deal may be said regarding the protection which the public are deprived of by Government excluding itself from the operation of these clauses. I will ask the House to consider one point only in connection with the clauses excluded from the schedule. In clause 4, section (3) it states, "where any difference or dispute arises, . . . the matter should be referred to the Electric Inspector and decided by him." Clause 11 says in the first proviso "provided that if the local Government considers that the maxima should be altered, it shall refer the matter to an advisory board." Clause 12 in connection with local bodies states, "The price to be charged shall be settled by the local Government and where any difference or dispute arises the matter shall be determined by arbitration." I think everybody will agree that when the

[Mr. Owen Roberts.]

schedule was framed the intention of the legislature was to introduce, in cases of differences of opinion and disputes, some independent body or person on whom a decision would devolve. Government by excluding itself from these clauses has deliberately deprived the public of this protection. And what have they substituted for it?

I must draw attention to the form of agreement to be executed by consumers and before reaching the particular clause relating to this matter draw the attention by the way to Clause 7.

In the event of any defects being discovered in the consumer's wiring or apparatus connected to the Branch's mains, or of any earth or leakage occurring on any section of the circuits so connected, the consumer in the absence of any of the Branch's authorised employees, shall immediately disconnect such part of the wiring or apparatus from the circuits and notify the Branch.

Sir, I wonder how many members of this House know what an 'earth' is. Personally I do not. And yet, before I deal with this department I must sign an agreement which will make it obligatory upon me to acquire definite technical knowledge. This affects not only me, but it affects people who may consume 50 watts and under of electricity. I do not know what this means but am told it refers to the class of consumer who may burn one lamp. It also affects the zamindar who may be using the system for irrigation purposes. How these persons, including myself are going to be made responsible to disconnect the 'earth' I do not know. It is one of the features of the licence which I think illustrates its general spirit.

Coming to disputes, this is how the paragraph reads—

In the event of any difference or dispute arising between the Branch and the consumer in respect of any matter connected with the supply which cannot be determined by these conditions, or by the terms of any agreement between the Branch and the consumer.....the matter shall be determined in accordance with the provisions of the Act or by reference to the Electric Inspector. And in the event of any difference or dispute arising that cannot be determined as aforesaid the decision of the Local Government shall be final and binding on all parties to the difference or dispute.

Beyond pointing out that the local Government is clearly an interested party, I will say no more on the merits of this clause, but honourable members will realise that the legislature in the making of this Act and in drawing up the schedule gave us certain protection, the protection in cases of dispute of bringing disinterested opinion to bear on the matter; that protection has been removed and we are left with this. Unfortunately it is not sufficient for me to say this; I may be told that they do so in the United Provinces, or some other precedent of the same type may be quoted. Therefore I will protect myself by bringing to the notice of the House methods of dealing with this class of difficulty that are followed in other countries and do so by throwing a little more light on a subject which I dealt with the other day, that is the necessity of Government establishing an independent authority that will command public confidence. I said something the other day of public utility commissions. Reading from the same authority I draw the attention of honourable members to this—

One important feature of the legislation that has been passed in recent years has been to place under the jurisdiction of the commissions not only railroad companies but many other public utility corporations such as street railway, gas, electric, water, warehouse, telegraph, and telephone companies, in fact all companies which are engaged in supplying utilities of a public nature.

To show that these words do not apply to some obscure State only, I will quote further—

Of the forty-eight States, forty-seven now have commissions with powers to regulate railroads and, in some cases, other public utilities and corporations.

An analysis of the figures shows that no less than 27 States have public utility service commissions; 14 have railroad commissions; 5 have corporation commissions and one has got an industrial relations commission; so that, the movement towards the establishment of these independent authorities is certainly a very wide one. As regards their functions, I will read out to you a few lines in connection with the public utilities commission in Illinois—

The Public Utilities Commission of Illinois, which is one of those having the broadest powers, is composed of five members appointed by the Governor and confirmed by the senate. Each commissioner receives an annual salary of Rs. 10,000 and holds office for six years. The general powers of the commission are stated as follows:—

The Commission shall have general supervision of all public utilities, shall inquire into the management of the business thereof and shall keep itself informed as to the manner and method in which the business is conducted. It shall examine such public utilities and keep informed as to their general conditions, their franchise, capitalization, rates and other charges, and the manner in which their plants, equipments and other property owned, leased, controlled or operated are managed, conducted and operated, not only with respect to the adequacy, security and accommodation afforded by their service but also with respect to their compliance with the provisions of this Act and any other law, with the orders of the Commission and with the charter and franchise requirements.

It goes on further to say "that the rates of public utility companies must be just and reasonable," and it finally lays down "that a company may change its rates and rules of service only after 30 days' notice to the commission and may increase rates only after receiving an order from the commission certifying that the increase is justified." I have had a good deal to say on the subject of rates one way or another, and I will ask you to contrast this statement of public policy with the last paragraph of the agreement that we are going to be made to sign—

Right of Branch to revise Schedule of Charges and Conditions of supply.—Subject to these conditions and to the terms of the Punjab Districts Electric Licence, 1932, the Branch reserves the right at any time to amend, cancel, or add to any of these Schedules of Charges and Conditions.

If it is thought that this branch will ever make good on these conditions, I beg very seriously to differ. I cannot see any industrialist laying down a large and costly plant and using their power with this background.

It may be objected that all I have said up to the present relates to companies and that this after all is a Government concern and not a company. This is an argument that I will never accept. When Government embarks on services of this type it must expect to get exactly the same terms as a private company. It cannot expect people to establish industries on any other conditions. Even to the private consumer the adoption of electricity is no small expense. I notice to-day in the budget that a provision of Rs. 4,500 has been made for wiring of the Government bungalows, and this is an example of the expense involved. According to this clause Government can double the rates at its pleasure. In other countries they would have in the first place to satisfy an independent body that a rise in the rates is justified. Then only could the revised rates be brought in after due notice.

[Mr. Owen Roberts.]

Taking this clause as it reads, I think it would be foolish for anybody to take power more especially for one who has a large plant.

Certain advantages such a commission would offer. In the first place it would enable Government to retain the services of selected public servants instead of retiring them at a time when their experience is at its ripest and best.

I do not propose that these commissioners should be appointed from the cadre of sub-judges for example. They should be men who would really command confidence and at any rate one of them should be a judge or an ex-judge of the high court. Again it will open up a prospect for political life and encourage good men to make a career of public work.

Further, there is the important point that in no case can such a commission ever be a source of danger to Government for the very good reason that Government will not give up to the commission its power of legislation. The commission will be there to interpret the law and not to make it. It will be for the Government through its usual channels to make alterations in the law if it finds that the interpretation placed upon any particular practice or law is unreasonable or unfair, or a burden on the public. The establishment of such a commission will bring other advantages. If it has a right to inquire into the working of a department such as the one under discussion, to insist on the maintenance of certain forms of accounts, to publish those accounts, to obtain statistics and to make all facts public, nothing that Government can do will go further to ensure economy than publicity of this type. Finally, I think public co-operation with Government will be developed as confidence increases through the knowledge that there is an independent body to look after public interests. One must realise that the fundamental change which we will have to face later on is the passing from a form of government by a trust to a form of government by ourselves, and we must amongst ourselves set up independent bodies to carry out the duty that in the past has been the chief duty and the chief function of the British Government.

In concluding these remarks I make a definite appeal to the Honourable Minister. We have known him in other capacities than as a minister. We have known him as a successful barrister and to-day he is not unknown as a very successful industrialist. I will ask him, if necessary, to lay aside ministerial reticences and turn his mind to the subject both as a lawyer and as an industrialist. What we want in this matter is fair play and a square deal from this department which is going to exercise very large influence over our destinies in the future. (*Cheers*).

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): Sir, I rise to support the motion that has been moved. I am really grateful to my honourable friend from Multan for having brought in this motion. This is a most important question from the point of view of the zamindars. I want to discuss only one aspect of the scheme. Both in answer to the cut motion that was previously made and on other occasions the Honourable Minister informed this House that this scheme will not be immediately available for supply of energy to the zamindars. When I asked him what time would elapse before the zamindar could make use of it, he

said, some 12 years. This is a very long period indeed. It is like the promise of "to-morrow" which never comes.

The Honourable Dr. Gokul Chand Narang : I never said that.

Chaudhri Allah Dad Khan : If you did not fix any time, then there is indefiniteness and vagueness about it which is even worse. Zamindars have not sufficiently developed to understand the use of electric energy for agricultural purposes and therefore there ought to be propaganda, there ought to be instructions given to zamindars about the use of it. Besides, the Government ought to have only a small margin of profit. In this connection I am reminded of a quotation—

اک عمر چاہئے کہ گوارہ ہو نیش عشق—رکھی ہے آج لذت زخم جگر کہاں

I might even quote another—

اے کو چاہئے اک عمر اثر ہوئے تک—کون جیتا ہے تری زلف کے سر ہونے تک

These verses represent the Minister's attitude.

The Honourable Dr. Gokul Chand Narang : Please repeat the couplets.

Chaudhri Allah Dad Khan. I fear that you, Sir, will stop me from repeating it.

اک عمر چاہئے کہ گوارہ ہو نیش عشق—رکھی ہے آج لذت زخم جگر کہاں
اے کو چاہئے اک عمر اثر ہوئے تک—کون جیتا ہے تری زلف کے سر ہونے تک

(Cheers).

When this scheme was first launched and when the Honourable Minister was an opponent of the scheme, was there any idea of this sort that this scheme would not be made useful to the zamindars? My honourable friend has just rightly submitted that if this idea were present in the minds of the members of this House no zamindar would have voted for the scheme, and without their votes the proposal would not have been adopted by the Council. Having made a promise that the scheme would be made available for the use of zamindars, you are now breaking faith with the zamindars.

The Honourable Dr. Gokul Chand Narang : No promise was ever made.

Chaudhri Allah Dad Khan : Even yesterday when the Honourable Minister was reading some extracts he said that he had the idea of supplying energy to zamindars at the first available opportunity.

The Honourable Dr. Gokul Chand Narang : No, I said, eventually.

Chaudhri Allah Dad Khan : The scheme was started when a zamindar minister was in office and he could not have been unmindful of the advantages that the scheme was bound to have for the zamindars.

The Honourable Dr. Gokul Chand Narang : He made no promise.

Chaudhri Allah Dad Khan : The Honourable Minister may contradict me when he is replying to my speech. I say if we zamindars had an indication at that time that we would derive no benefit out of the scheme, no zamindar would have voted for it. Zamindars are not fools not to understand that electricity can work wonders for irrigating lands, for helping

[Chaudhri Allah Dad Khan.]

motor tractors and for doing sundry other things. Zamindars are not dull-headed as they are perhaps supposed to be by some people. They are more intelligent than some may imagine them to be. There is another ground for thinking that the zamindar would not have voted for this scheme if it was not for his benefit. Every zamindar knew that the scheme would be worked only with the money which he supplied. About 98 per cent. of the revenues of the Government comes from the pockets of the zamindars and the scheme would have been possible only with their money. So there would not be any person except the Government who would break faith with the zamindars while at the same time utilising their money. This is indeed very strange. Even if there was no definite promise in so many words, there was at least an implied promise in the very inception of the scheme. I do not think any zamindar was under any illusion about that. They have only just now been disillusioned and I take it that the promise that has been made on the floor of this House to-day is very vague and indefinite, never to be realised like the dreams of "to-morrow" which never comes.

There is an additional reason. Suppose there is a rich man who wants water for his household and accordingly gives money to a contractor to build a canal and supply water to his household. After constructing the canal, suppose the contractor says, "Well, I have built the canal, but I cannot supply water to your household, because I can get a higher price from your neighbour."

The Honourable Dr. Gokul Chand Narang : Whoever said no electricity will be supplied to zamindars ?

Chaudhri Allah Dad Khan : You said, "the time will come when you make propaganda among the zamindars." These are your words. I ask why say these words ? Are the zamindars so muddle-headed that they cannot understand about electricity and electric power ? It is a slur on them to think so. There are a number of zamindars here who can give a better account of their ability than you imagine. Why do you say that propaganda is necessary among the zamindars ? I assure you that no propaganda is necessary for the zamindars. You make this power available for them and I can bring applications from a number of zamindars for this power hard pressed as they are. Wordy promises will not be listened to by them. So much money has been spent on this scheme—to the extent of 6 crores. I do not say it has been wasted, but it has been spent. As it is, it may be well spent. But you are not giving the first fruits of it to the zamindars. Only the towns people get advantage from it. My honourable friend stated that the working expenses should be realised from the towns people by charging higher rates, just as in the case of the Sutlej Valley Project. The instance of the Sutlej Valley Project is quoted to show that higher rates are imposed upon the zamindars. If so, higher rates can be imposed upon the town people. Why should this money be wasted ? If you are anxious that town people should have the advantage, let them pay for it. I am not making this distinction in order to alienate the sympathies of the town people. I have great sympathy for them and great respect too. But when the Honourable Minister pleads in this fashion, I say he is not doing justice to them. The town people never dreamt in their dreams that

they would get this power by excluding zamindars. They will get greater advantage if zamindars get this power because the happy life and prosperity of the towns people depend on those of the rural people. But here is the Honourable Minister who is now making this sort of favour to the towns people. Only lately the zamindars had a minister of their own. Is it not an irony of fate that a scheme which was launched and is being brought into operation with the help and money of the zamindars is now being worked by a non-zamindar who has utter apathy for the interest and benefits of the zamindars? He should not make any distinction between urban and rural areas either in this Council or outside. The other day he had a hit at the leader of the National Unionist party that he was making a gulf between the urban and the rural people. Now he is himself making a gulf between the urban and the rural people by supplying this energy in the first instance to the urban people and making the zamindars pay for it. How does he know that the towns people are sufficiently developed to understand the advantages of this costly thing and that they will at once take to it? Here is my honourable friend, Pandit Nanak Chand, who when he was discussing this very same thing quoted facts and figures to show that the electrical energy supplied by the Government cost 24 pies per unit to the people whereas its actual cost was only 18 pies in Lahore. (*Interruption*). He said something like that and I can refer to his speech, though I have not got it here just at present. He said that this electrical energy would never be used by the urban people because it would be more costly than at present they are getting. But now he seems to support the Honourable Minister in saying that this should be made available only to the urban people.

Mr. Nanak Chand Pandit : On a point of order. I have not said a single word so far on this question and my honourable friend is putting something in my mouth which I have not said.

Chaudhri Allah Dad Khan : The honourable member is not authorised to interrupt me in this way. He might not have spoken anything to-day but he said this last time. I challenge him that he has made such a speech. I can never forget it. I cannot quote it now exactly. He said so last year. He was then supporting me and he called this scheme a white elephant. This was the expression he used. The other day the Honourable Minister was pleased to say that the Government was thinking of making profits. Now what right has the Government to make profits out of the money given by the zamindars? It is for us to concede that Government can make profits. But it is not right for the Government to force the zamindars to pay and then make profits out of the money they pay. Even as to that point, if the power is made available to the zamindars, I dare say that in the long run it will bring greater profit to the Government than if it is supplied only to the towns people, because the zamindars after all have a larger area and will consume larger power than the towns people. So the first thing should be to make the energy available to the villagers. But I know that in a short time a propaganda will be made among the zamindars and the zamindars will be made to say, "we do not require electricity." I can give an instance of this. In the Ambala division, when the Western Jumna Canal was brought into existence people were consulted by the Canal Department about their requirements. There were clever towns people who spread the propaganda in the villages

{Chaudhri Allah Dad Khan.}

that if they took water from the canals they would be ruined, there would be so many and so exorbitant charges for the water which they might not be able to pay and so the towns people persuaded the zamindars not to take water from the canal. The result was that people sent in memorials saying that they did not require water from canals. So was the case with regard to the distribution of land in Lyallpur. There was a good deal of difficulty in persuading people there to take rectangles and squares. People refused because there was propaganda against it by the towns people, who said, "if you take land there will be so many charges demanded by the Government that your houses will have to be sold, your land will have to be sold and everything else will have to be sold." The result was that people refused to take land even when the Government was making free grants. Similarly if zamindars are not given this electrical energy just now, I am justified in drawing the conclusion from the examples which I have just quoted, that the zamindars will be made to say that they do not require it. Such a thing can be done because the newspapers are owned by the towns people and there are hundred and one ways to make propaganda in the villages. The villagers cannot make any propaganda. When the zamindars say that they do not want electricity, you will turn round and say, 'look here, the zamindars themselves do not want it'. So I say, do not introduce electricity into the Punjab unless you make arrangement to supply it in the first instance to the poor zamindar. They have a right both moral and political, to have the first preference and they cannot be deprived of this right for a long time or even for a year or two as may be in the mind of the Honourable Minister. Even this is too long a period and the zamindar can never wait for things. He has never seen such a thing called mirage. If the Government merely makes a promise he can hardly believe it. So make the electricity available to the zamindars in the first instance. If not, I appeal to the zamindar members here to rise to the occasion and carry this out. It will be a condemnation on the working of this scheme. With these words I support the motion under discussion. (*Prolonged cheers.*)

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) : Sir, I want to draw the attention of the Government just to two or three points only. One is, as all honourable members of this House know, the department has spread its transmission lines over hundreds of miles in the whole countryside. Honourable members would also have noticed that some of these transmission poles have occupied a good bit of zamindars' land. The land belongs to the poor zamindar in most of the places. As far as I understood from the original scheme, some money was provided to compensate these zamindars whose land had been used for these transmission poles. These zamindars do not know actually that they are to be paid for the land thus utilised by the department. I cannot say how much area is utilised by these transmission poles. But looking at it, it seems that a *marla* of land at least would be occupied by the big pole and half a *marla* by the smaller pole ; If you calculate like that the whole land thus occupied by these poles will come to a good deal. I would therefore suggest that Government should not take back the money already provided for compensating these zamindars for the loss of their land but they should through their civil officers let these people know that compensation is to be paid to

them for the land occupied by these poles. In other places where the transmission line has passed, many trees have been cut down. I know certain gardens with fruitful and beautiful trees, have been ruined and cut down and

6 P. M. very little compensation has been given to the zamindars or owners of these gardens. Some other trees in the fields have been cut down and no compensation was given by the department. I think it is not fair. If any private company had started a work certainly Government itself would have stepped in and would have safeguarded the interests of the zamindars. Another point that I would like to press concerns our Honourable Minister. It is fortunate that we have got at the head of this department a very practical businessman in the person of Dr. Gokul Chand Narang.

At this stage the Council adjourned till 2 p.m. on Wednesday, the 8th March 1939.

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PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Wednesday, 8th March 1933.

The Council met at the Council Chamber at 2 p.m. of the clock. Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

LECTURER IN PERSIAN, LAHORE COLLEGE FOR WOMEN.

***2287. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Education kindly state—

- (a) whether it is a fact that Miss K. B. Feroz-ud-Din, M.A., M.O.L., of the Lahore College for Women has been transferred to Amritsar ;
- (b) whether any appointment was made on her transfer ;
- (c) if so, what were the qualifications of the lady appointed in her place ;
- (d) whether this lady was removed after a time ;
- (e) if so, why ;
- (f) whether the post was advertised as a temporary post ;
- (g) how many applications from eligible candidates have been received in reply thereto ;
- (h) why the post was advertised as temporary ;
- (i) whether there is any intention of bringing the lady referred to in (c) back again after a short time ;
- (j) whether she is in any way related to any officer in the Education Department at the headquarters office ?

The Honourable Malik Sir Firoz Khan Noon : (a) Yes. She has been transferred to Amritsar.

(b) No appointment was made but a teacher who is already in service was temporarily transferred by the Deputy Directress, on her own pay and grade.

(c) She had passed her F.A. but failed in her B.A.

She was studying for her Munshi Fazal.

(d) Yes.

(e) Her qualifications were not good enough for the post.

(f) No.

(g) Six applications have been received, most of them from unsuitable candidates.

(h) It was not.

[The Hon'ble Malik Sir Firoz Khan Noon.]

(i) Not at present.

(j) It is believed to be the case, but I fail to see the object with which this part of the question has been asked.

DEPUTY INSPECTORS OF SCHOOLS.

***2288. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Education kindly state—

- (a) whether it is a fact that he is contemplating to increase the number of deputy inspectors of schools in the Punjab ;
- (b) whether it is a fact that there is not a single Hindu permanent deputy inspector of schools in the whole of the Punjab ;
- (c) whether it is proposed to appoint Hindus to these new posts ?

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

(b) The honourable member is referred to the answer to his question No. 579¹.

(c) The policy of Government was stated by the Honourable Finance Member in a debate in the Legislative Council on the 19th of July 1927. This is still the policy of Government, and Government continue to carry out the requirements of the formula contained in the said statement of policy.

HONORARY MAGISTRATES IN ROHTAK DISTRICT.

***2289. Chaudhri Ram Sarup :** Will the Honourable Member for Finance kindly state—

- (a) the number of Hindu and Muslim honorary magistrates in the Rohtak district and the proportion of each of the two communities in the population ;
- (b) the number of Jats and Mahajans among the honorary magistrates of Rohtak district and the proportion of each of the two classes in the general population ?

The Honourable Sir Henry Craik : (a) There are seven Hindu and four Muslim honorary magistrates in the Rohtak district. The percentage of Hindus and Muhammadans to the total population of the district is 82 and 18 respectively.

(b) There are five Jat and two Mahajan honorary magistrates in the Rohtak district. The percentage of Jats to the total population of the district is 97 ; that of Mahajans cannot be given, as their population is not separately given in the Census Report.

HONORARY MAGISTRATES AT SONEPAT.

***2290. Chaudhri Ram Sarup :** Will the Honourable Member for Finance kindly state the number of Jat, Mahajan and Muslim members on the bench of honorary magistrates at Sonapat and the proportion of these three classes in the population of Sonapat tahsil (Rohtak district) ?

The Honourable Sir Henry Craik : If by Jat, the honourable member means Hindu Jat, the bench of honorary magistrates at Sonapat is comprised of one Jat and three Muslim members. The proportion of Muslims to the total population of Sonapat tahsil is roughly one to six; that of Jats and Mahajans cannot be given, as their population is not separately given in the Census Report.

COMMUNAL REPRESENTATION AMONG JAILORS.

***2291. Chaudhri Ram Sarup :** Will the Honourable Member for Finance kindly state the number of jailors and assistant jailors in the Punjab communitywise and the number of statutory agriculturists under each head?

The Honourable Sir Henry Craik : The honourable member is referred to the Consolidated Statement showing the proportionate representation of the various communities serving in the different departments of the Punjab Government as it stood on the 1st of January 1933, copies of which have been supplied to honourable members.

LAMBARDARS AS DEFENCE WITNESSES IN CRIMINAL CASES.

***2292. Chaudhri Ram Sarup :** Will the Honourable Member for Revenue kindly state the number of lambardars who have been punished or called upon to explain their conduct on the ground that they appeared as defence witnesses in the Rohtak district and whether it is illegal or forbidden for a lambardar to give evidence for an accused person?

The Honourable Captain Sardar Sir Sikander Hyat Khan : If the honourable member will please state the period for which information is required and name particular lambardars which he may have in mind, the necessary information will be obtained from the local authorities.

CANAL PATWARIS IN ROHTAK DISTRICT.

***2293. Chaudhri Ram Sarup :** Will the Honourable Member for Revenue kindly state—

- (a) the number of canal patwaris in the Rohtak district, the number of Hindus, Muslims and Sikhs among them and the proportion of these three classes in the population;
- (b) the number of statutory agriculturists among Hindu, Muslim and Sikh patwaris in the district;
- (c) the number of those among the patwaris referred to in (a) who do not belong to (i) Rohtak district or (ii) Ambala division or (iii) the Punjab;
- (d) whether lately a number of candidates have been imported from other districts, and if so, why;
- (e) the names of those who were imported from outside the district?

The Honourable Captain Sardar Sir Sikander Hyat Khan :

(a) Hindus	..	..	..	64
Muslims	..	..	..	17
Sikh	..	..	..	1
				<hr/>
Total	..	..	..	82

The proportion of these classes in the population of Rohtak district is—

Hindus	..	..	..	81.42
Muslims	..	..	..	17.12
Sikhs	..	..	..	.07
Others	..	..	..	1.39
(b) Hindus	..	..	..	46
Muslims	..	..	..	12
Sikh	..	..	..	1

(c) The number of those among the patwaris referred to in (a) who do not belong to —

Rohtak district	..	..	..	88
Ambala division	..	..	..	29
The Punjab	..	..	..	27

(d) No candidates have been “imported” in the sense implied; names of suitable candidates are registered and appointments made irrespective of the district to which they may happen to belong.

(e) It is regretted, the names cannot be disclosed.

RECRUITMENT OF ZILLADARS.

***2294. Chaudhri Ram Sarup :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is the intention of the Government that each superintending engineer in nominating candidates for zilladarship should stick to the proportions of 50 per cent. Muslims, 17 per cent. Sikhs, 30 per cent. Hindus and 3 per cent. others irrespective of the composition of the population in his circle;
- (b) if the answer to (a) is in the negative, whether it is a fact that the Superintending Engineer of Delhi has been maintaining approximately the proportions of 50, 30 and 20 per cent., respectively for Muslims, Hindus and Sikhs, respectively, in his recommendations during the last three years;
- (c) the proportion of Hindus, Muslims and Sikhs in the circle under the Superintending Engineer of Delhi;
- (d) the name, religion and tribe of the candidates recommended by the Superintending Engineer of Delhi for zilladarship (i) by direct recruitment and (ii) by promotion during the last three years;
- (e) whether any proportion has been laid down for agriculturists, and if so, what it is?

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

(b) No.

(c) It is not clear in regard to which class of zilladar (probationer, accepted or unaccepted candidate zilladar) the information is required.

(d) The information is given below—

		Muslims.		Hindus.		Sikhs.		Others.
(1) By direct recruitment—								
1930	..	Arain .. 1		Jats .. 2		..		..
		Sayad .. 1						
1931	..	Sayad .. 1		Jat .. 1		..		..
		Shaikh .. 1						
1932	..	Fresh names were not submitted during this year.						

			Muslims.		Hindus.
(2) By promotion—					
1930	..	Clerks ..	Sayad 1		Rajput Ahluwalla .. 1
					Jat 1
		Munshis ..	..		Gaur Brahmin .. 1
					Jat 1
1931	..	Clerks ..	Sayad 1		Jat 1
		Munshis ..	..		Jats 2
					Khatris .. 1
1932	..	Clerks ..	Sayad 1		Jat 1
		Munshis ..	..		Khatris .. 1
					Jat 1

(e) In the case of Departmental candidates (Munshis) preference is to be given to agriculturists and in the case of "outsider" candidates they must be agriculturists, or have hereditary connection with landed property, unless their immediate progenitors have been, or are, in Government employ, and have rendered service worthy of recognition.

RECRUITMENT TO POLICE DEPARTMENT.

***2295. Chaudhri Ram Sarup :** Will the Honourable Member for Finance kindly state—

- (a) the proportion of Hindus, Muslims and Sikhs in the population of the Eastern Range ;
- (b) the number of Hindus, Sikhs and Muslims among sub-inspectors and assistant sub-inspectors who belong to the districts comprised in the Eastern Range ;
- (c) the number of Hindus, Sikhs and Muslims among sub-inspectors and assistant sub-inspectors serving in the Eastern Range ;
- (d) the number of sub-inspectors and assistant sub-inspectors recruited by direct appointment in the province during the last five years, the number of Hindus, Sikhs and Muslims among them and the number of statutory agriculturists under each head ?

The Honourable Sir Henry Craik : The required information is being collected and will be supplied to the honourable member when ready.

DISTRICT BOARD OF ROHTAK.

***2296. Chaudhri Ram Sarup :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) the total strength of the District Board of Rohtak up to the end of 1932 ;
- (b) whether it is a fact that one seat was added recently to the number of nominated seats, and if so, what are the grounds which justify this increase ;
- (c) whether it is a fact that out of thirty-four elected members thirty-one are Hindu Jats ;
- (d) whether it is also a fact that a Hindu Jat was added by nomination to the district board ;
- (e) if the answer to (d) is in the affirmative, the exact interest which the nominated Hindu Jat was to represent ?

The Honourable Dr. Gokul Chand Narang : (a) 44.

(b) Yes. The Muslims had 5 seats on the last Board, and Government considered that they should have at least the same number of seats on the present Board also. As however, the Muslims could not secure more than two seats through election, and as not more than two seats could conveniently be given to them out of the five seats to be filled by appointment an extra seat had to be created.

(c) Yes.

(d) Yes.

(e) The member in question is a gentleman of outstanding ability and experience, and it was considered that his appointment would benefit the district.

STATUTORY AGRICULTURISTS AS DISTRICT INSPECTORS OF SCHOOLS IN
ROHTAK AND HISSAR DISTRICTS.

***2297. Chaudhri Ram Sarup :** Will the Honourable Minister for Education kindly state whether the Rohtak and Hissar districts have ever had the benefit of a statutory Hindu agriculturist as their district inspector of schools during the last ten years ?

The Honourable Malik Sir Firoz Khan Noon : The honourable member is referred to the answer to starred Council question No. 1835¹ given in 1929.¹

STATUTORY HINDU AGRICULTURISTS OF AMBALA DIVISION AS DEPUTY
INSPECTOR OF SCHOOLS.

***2298. Chaudhri Ram Sarup :** Will the Honourable Minister for Education kindly state whether any statutory Hindu agriculturist of the Ambala division has ever held the charge of a district as a deputy inspector of schools ?

The Honourable Malik Sir Firoz Khan Noon : There is no such post as a deputy inspector of schools in charge of a district. However if the honourable member means a deputy inspector of schools in a division the answer is "No." If on the other hand he means a district inspector of schools in charge of a district the answer is "Yes."

DISTRICT INSPECTOR OF SCHOOLS.

***2299. Chaudhri Ram Sarup :** Will the Honourable Minister for Education kindly lay on the table of the House a statement—

- (a) showing the name, religion and tribe of all the district inspectors of schools in the province ;
- (b) the grade pay, length of service and experience as assistant district inspector of each of the gentlemen referred to in (a) when they were first appointed to the charge of districts ;
- (c) whether no statutory Hindu agriculturist with the qualifications of the gentlemen referred to in (b) at the time of their first appointment was available, and if any such were available what are the grounds of this desideratum ?

The Honourable Malik Sir Firoz Khan Noon : (a) and (b) It is not in the public interest to divert departmental energies to collecting this information which can serve no useful purpose. If the honourable member wishes to draw the attention of Government to the paucity of Hindu agriculturists in this service his attention is invited to the answer to (c) below.

(c) The policy of Government was stated by the Honourable Finance Member in a debate in the Legislative Council on the 19th July 1927. This is still the policy of Government, and Government continue to carry out the requirements of the formula contained in the said statement of policy.

NAL-CHAH RATES IN JHAJJAR AND SONEPAT TAHSILS.

***2300. Chaudhri Ram Sarup :** Will the Honourable Member for Revenue kindly state—

- (a) whether he has received any recommendations from the Deputy Commissioner of Rohtak suggesting the remission of *nal-chah* rates in respect of the wells in Jhajjar and Sonapat tahsils of Rohtak district which have entirely gone out of service or have not been used for the purpose of irrigation for five years in succession ;
- (b) whether he or the Financial Commissioner has received any such recommendations, how many wells in each tahsil are covered by these recommendations and what is the total amount of *nal-chah* rates involved in these recommendations ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The attention of the honourable member is invited to the reply given to Council question No. 2201¹ (starred) by Rao Bahadur Chaudhri Chhotu Ram on 28th February 1933.

RECRUITMENT OF CONSTABLES.

***2301. Chaudhri Ram Sarup :** Will the Honourable Member for Finance kindly state—

- (a) the number of recruits enlisted as constables under the new scheme of training devised by the Inspector General of Police ;
- (b) how many among those recruited in the districts of Rohtak and Hissar are Hindus and Muslims and what is the proportion of the two communities in the population of each district ;
- (c) how many Hindu Jats, Hindu Rajputs and Gaur Brahmans have been recruited in Hissar and Rohtak, respectively, and what is the proportion of these three classes in the population of each district.

The Honourable Sir Henry Craik : (a) No new scheme of training has been devised.

(b) and (c) The honourable member's questions do not make it clear to what period they relate. As regards the proportion of various communities and tribes in the total population, the honourable member is referred to the statistics given in the Census Report.

SELECTION BOARD FOR SUB-INSPECTOR AND ASSISTANT SUB-INSPECTOR OF POLICE.

***2302. Chaudhri Ram Sarup :** Will the Honourable Member for Finance kindly state—

- (a) whether any non-official is associated with the selection board which selects candidates for the post of sub-inspector and assistant sub-inspector of police whether for the executive branch or the prosecuting branch ;

- (b) if the answer to (a) is in the affirmative, whether any non-official from Rohtak, Hissar, Gurgaon or Karnal has ever served on this board ?

The Honourable Sir Henry Craik : (a) It is not customary for non-officials to be associated with selection boards in the cases mentioned.

- (b) Does not arise.

CLASSIFICATION OF HAR LAL, PRISONER.

***2303. Chaudhri Ram Sarup :** Will the Honourable Member for Finance kindly state—

- (a) whether one Har Lal of village Samchana in Rohtak district was involved in a riot and was sentenced to two or three years' rigorous imprisonment last year ;
- (b) whether it is a fact that this Har Lal is a young man of about twenty-three years, belongs to a respectable and well-to-do Jat family, is the son of an honorary Lieutenant and Risaldar Major who served in the Great War, and is an undergraduate of St. Stephen's College of Delhi ;
- (c) whether it is a fact that he applied after conviction to be placed in A or B class, but that his application was rejected ;
- (d) whether it is a fact that men of lower status than Har Lal are placed in one of the higher classes of prisoners simply because they are able to label themselves as political prisoners ;
- (e) whether in view of the fact that the young man got mixed up in the riot by sheer chance and is accustomed to a higher standard of comfort than the general run of prisoners the Government is prepared to reconsider their decision ?

The Honourable Sir Henry Craik : (a) Yes, three years.

- (b) Yes.

- (c) Yes.

- (d) No. Each case is dealt with on its merits.

- (e) No.

RELIEF TO ZAMINDARS.

***2304. Chaudhri Ram Sarup :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that all *barani* gram crop has been destroyed practically totally owing to want of winter rain and to frost in the district of Rohtak ;
- (b) whether it is a fact that *sarson* crop has also suffered very materially in irrigated tracts of Rohtak district ;
- (c) whether it is a fact that *gur* is selling at about Re. 1-8-0 per maund ;
- (d) in view of the facts referred to in (a), (b) and (c) what remedial measures are proposed by the Government to afford relief to zamindars ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) and (b) The information will not be available till the *girdawari* is completed.

(c) The rates vary in different localities. In Rohtak mandi on 10th January 1933, the rate was Rs. 2 per maund.

(d) The rules relating to *kharaba*, suspension and remission will be applied where necessary.

GRANTS TO DISTRICT BOARDS BY THE COMMUNICATIONS BOARD.

***2305. Chaudhri Ram Sarup :** Will the Honourable Minister for Agriculture kindly state the amount of money which was at the disposal of the Communications Board for distribution in grants to district boards in 1932-33, and how that amount has been distributed ?

The Honourable Sardar Sir Jogendra Singh : The amount at the disposal of the Communications Board for distribution to district boards during 1932-33 was Rs. 3,25,000.

A statement showing how this amount has been distributed is laid on the table.

Statement showing the amount of grant distributed by the Communications Board during 1932-33.

No.	Name of District.	Maintenance of metalled and unmetalled Class II Roads.	Special Repairs.	Development of bridges and roads.	Grand total of the amount distributed.
1	2	3	4	5	6
1	Hissar	2,010	..	..	2,010
2	Rohtak	17,328	..	586	17,914
3	Gurgaon	4,372	103	17	4,492
4	Karnal	7,961	404	5,614	13,979
5	Ambala	32,533	8,814	3,208	44,555
6	Simla	600	..	..	600
7	Kangra	3,624	580	..	4,204
8	Hoshiarpur	9,859	4,639	..	14,498
9	Jullundur	31,821	..	..	31,821
10	Ludhiana	22,170	..	..	22,170
11	Ferozepore	40,948	..	..	40,948
12	Lahore	11,301	..	57	11,358
13	Amritsar	12,600	..	1,000	13,600

No.	name and District.	Maintenance of metalled and unmetalled Class II Roads.	Special Repairs.	Development of bridges and roads.	Grand total of the amount distributed.
1	2	3	4	5	6
14	Gurdaspur	4,087	3,738	947	8,772
15	Sialkot	3,335	2,289	2,380	8,004
16	Gujranwala	1,846	..	..	1,846
17	Sheikhupura	3,385	..	..	3,385
18	Gujrat	7,845	87	17	7,949
19	Shahpur	14,191	..	..	14,191
20	Jhelum	2,972	152	1,241	4,365
21	Rawalpindi	11,331	2,010	2,163	15,504
22	Attock	2,308	4,800	4,692	11,800
23	Mianwali	232	646	..	878
24	Montgomery	7,249	..	..	7,249
25	Lyallpur	No grant is paid to Lyallpur.			
26	Jhang	5,177	..	..	5,177
27	Multan	10,570	..	1,639	12,209
28	Muzaffargarh	1,637	..	..	1,637
29	Dera Ghazi Khan	1,832	..	1,212	3,044
	Total	275,144	28,262	24,773	328,179
	Anticipated savings on actual allotment of grants which have been earmarked but not yet paid.	..	..	..	3,179
				Net ..	325,000

IMPROVEMENT OF INTER-VILLAGE COMMUNICATIONS AND THE COMMUNICATIONS BOARD.

***2306. Chaudhri Ram Sarup :** Will the Honourable Minister for Agriculture kindly state whether any, and if so, what amount was placed at the disposal of the Communications Board for the improvement of inter-village communications in 1982-83 and how that amount has been spent?

The Honourable Sardar Sir Jogendra Singh : No specific allotment was made to the Communications Board for improvement of inter-village communication in 1932-33. A small sum of Rs. 586 is likely to be paid by the Communications Board to the District Board of Rohtak as a 50 per cent. grant towards the construction of a bridge over the Sahibi Nalla near Lohari village in Jhajjar tahsil. This amount will be given from the grant at the disposal of Communications Board for main roads.

AVERAGE MONTHLY CONSUMPTION OF PETROL IN ROHTAK, AND THE
PETROL FUND.

***2307. Chaudhri Ram Sarup :** Will the Honourable Revenue Member kindly state the average monthly consumption of petrol in the Rohtak district in 1932, what proportion it bears to the total consumption in the Punjab and what proportion of the money given to this province out of the Petrol Fund has been spent in the Rohtak district ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Government have no information relating to the consumption of petrol.

2. No money out of the Central Road Development Fund (Petrol Fund) has been spent in the Rohtak district as none of the roads on which this fund is expended pass through it.

METALLED ROADS AND THE COMMUNICATIONS BOARD.

***2308. Chaudhri Ram Sarup :** Will the Honourable Minister for Agriculture kindly state the mileage of metalled roads which each district board in the province is maintaining at present and the amount which the Communications Board has allotted to each district board in 1932-33 ?

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

*Statement showing metalled mileage of roads in charge of district boards
and the grant paid by the Communications Board for their
maintenance during 1932-33.*

No.	Name of District.	Metalled mileage of Class II Roads.	Grant during 1932-33.
1	2	3	4
			Rs.
1	Hissar	26	1,498
2	Rohtak	97	16,892
3	Gurgaon	49.50	2,937
4	Karnal	31	5,493
5	Ambala	93.50	27,679

No.	Name of District.	Mettalled mileage of Class II Roads.	Grant during 1932-33.
1	2	3	4
6	Simla .. .. .	..	..
7	Kangra .. .. .	..	..
8	Hoshiarpur	61	6,835
9	Jullundur	116·5	31,406
10	Ludhiana	92·25	21,785
11	Ferozepore	87	40,560
12	Lahore	39·5	9,079
13	Amritsar	47	10,954
14	Gurdaspur	35	2,224
15	Sialkot	4·25	246
16	Gujranwala	9	81
17	Sheikhupura	12·5	1,748
18	Gujrat	43	5,762
19	Shahpur	86·5	6,515
20	Jhelum	10·5	244
21	Rawalpindi	31	5,048
22	Attock	6	254
23	Mianwali	4	45
24	Montgomery	47	5,608
25	Lyallpur	100	..
26	Jhang	19	898
27	Multan	56·65	7,388
28	Muzaffargarh .. .. .	..	..
29	Dera Ghazi Khan .. .. .	..	..
	Total	12,04·65	2,11,188

HOUSING OF VERNAICULAR SCHOOLS IN THE PUNJAB.

*2309. Chaudhri Ram Sarup : Will the Honourable Minister for Education kindly state the number of vernacular schools in each district of

[Ch. Ram Sarup.]

the province which are housed in rented buildings or in buildings placed at the disposal of district board free of rent by public-spirited gentlemen?

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

SUTLEJ VALLEY PROJECT.

***2310. Lala Chetan Anand :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that Sutlej Valley Project was started in Lodhran and Mailsi tahsils in 1927 ;
- (b) whether it is a fact that the tails of (i) Chelewahan distributary, (ii) Zirak minor and (iii) Kharor minor, in the Mailsi Main Line division are not being properly irrigated for the last five years ;
- (c) whether it is a fact that the irrigation of villages Shahpur, Gol and Sikar situated at the tail of Chelewahan distributary is poor ;
- (d) whether it is a fact that the village Tibbi Wadan situated at the tail of Zirak minor is getting very little of canal water ;
- (e) whether it is a fact that villages Bhakri and Jas situated at the tail of Kharor minor are not at all irrigated by the canal water during the last five years ;
- (f) what measures the Canal Department intends to take for improving the tail condition of —
 - (i) Chelewahan distributary ;
 - (ii) Zirak minor,
 - (iii) Kharor minor ;
- (g) whether it is a fact that the executive engineer has no other alternative but to resort to *moga bandi* every year for the irrigation of the said three tails ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Sutlej Valley Project irrigation commenced in the Lodhran and Mailsi tahsils in the *kharif* 1928.

(b) (i), (ii) and (iii) Yes.

(c) Yes.

(d) Yes.

(e) There has been practically no irrigation in village Jas. There has been poor irrigation in village Bhakri every year.

(f) The reason for these unsatisfactory conditions is that the Chelewahan Distributary is part of the old Mailsi Canal adopted for sake of economy, but is too large in section for the discharge it is now required to carry and most of the water let in at the head is taken by the upper reaches and lost by absorption. The channel is steadily being contracted each year to proper section, by the formation of silt berms and when these have grown, conditions at the tail should be much improved.

(g) Yes. This is the only means available to give immediate assistance to the tail reaches.

***2311. Cancelled.**

LOWER CHENAB CANAL.

***2312. Sardar Bishan Singh :** Will the Honourable Member for Revenue please state—

- (a) the programme of closures of each branch of Lower Chenab Canal commencing from 1st October 1982 up to the end of March 1983 ;
- (b) closures of the above branches during the year 1981-82 with detailed programme ;
- (c) total area sown on the Lower Chenab Canal during *rabi* 1981-82 and 1982-83 ;
- (d) total area under *kor* up to the end of February 1983 ?

The Honourable Captain Sardar Sir 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.

GOVERNMENT'S DEMANDS FOR GRANTS.

HYDRO-ELECTRIC SCHEME—WORKING EXPENSES—*concluded*.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) : Sir, I told the House yesterday how the Hydro-Electric Department has taken possession of lands of some of the zamindars without compensation and also drew the attention of the Government to the fact that they should be compensated liberally not only when they give applications or demand compensation but wherever their lands have been taken, compensation should be given to them as a matter of duty. There is another point to which I would like to draw the attention of the Government and that is to the propaganda needed to sell energy. I am sorry that the Honourable Minister in charge is not here, but I must say that we are lucky in having such a man at the head of the affair whose reputation throughout the province as a first class businessman is established and I am sure if he is given the full hand and the co-operation of the department he will be able to make the scheme successful and probably profitable. All the same a thought-out propaganda is absolutely necessary. It is not like other departments of the Government where they sell their commodities like the Irrigation Department where no propaganda is needed. People themselves want that commodity badly and therefore they apply and approach Government themselves. This is a thing which is different from others, and to expect people to come round to the Government for the purchase of the energy is rather difficult. I therefore would like the department to do intensive propaganda for the use of electricity. I happened to be in Bombay and I saw the Tata Hydro-Electric Scheme and there in the city itself I found a huge exhibition of the department where they exhibited all sorts of appliances and all the petty articles in which electricity could be used and the general manager told me that this exhibition had done them a lot of good. Hundreds of people go to that exhibition which is still there and which in fact is a permanent feature of the place. He told me that it was for him to sell something at least to all those who visit the exhibition. If the private companies can do that I am sure Government can do still better. But judging from the experience I have of the Government institutions and their *bara sahibs* and their prestige and certain other things, they always think

[K. B. Sardar Habib Ullah.]

that it is below their dignity to do propaganda in a proper way. I would therefore draw the attention of the Government that they should not hesitate to do propaganda necessary for the sale of their commodity. The last point to which I want to draw the attention of the Government and which has been very clearly mentioned by Mr. Owen Roberts as very necessary is that some sort of commission should be appointed which will be of very great help in settling disputes between consumers and the Government. By the appointment of such a commission I am sure Government will have the confidence of the people and they will not feel shy in using the energy in a liberal way. There is only one point left to which I would draw attention of the Chief Engineer particularly. I do not know what his figures are but in the beginning he may not be able to use all the energy that is at his command. It will be better to give that energy at a cheaper rate than to waste it. I would suggest therefore that in the beginning if there is any energy left the Government should try to give it very cheap and make it popular among the agricultural and rural people. If, for instance, there are 2,000 kilowatts left which the department cannot use, it should not hesitate in giving it at a cheap rate to the zamindars. With these words I support the amendment before the House.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (*Urdu*): Sir, before I say anything in connection with the motion now before the House I would submit that wherever you go you will find that in almost all families there are members who earn and members who spend and our Ministers may be likened to those who only know how to spend. But there are ways to spend, for instance one can spend money on the purchase of a motor car, on the establishment of a tennis court or on his dress. The earning members of the families are entitled to warn the prodigals not to squander away money which they have not themselves earned. Similarly when we see our Ministers wasting huge sums of public money we can ask them not to do so. We can also ask them if they have ever felt any sympathy with the people whose money they are so mercilessly wasting. When we raise such objections we are asked to look to America, England and other European countries. What is being done there? They probably ignore the fact that these countries are very rich and can afford to spend large sums on schemes of public utility. Whatever is being spent there is spent for the public good. Nepotism and favouritism are not looked upon with favour in those countries. But here the case is reverse. Matters of vital importance are pushed aside and public money is being wasted on useless schemes. The zamindars are badly in need of relief. They have no more to pay to Government. Their condition is most deplorable. You do not take pity on their miserable plight but try to saddle them with fresh liabilities. Would it be fair and reasonable to buy a horse when in fact we want an ox? You do not look to the welfare of the poor zamindars but on the other hand you are anxious to promote the welfare of those people who are already happy and well-off. Sir, when this scheme is not going to benefit the zamindars why should the money taken out of their pockets be wasted on this white elephant? The Honourable Minister in charge of the scheme is not to-day present. Perhaps he is afraid of advocating the cause of a scheme which was most bitterly opposed by him some years back.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I might explain to the honourable member that the Honourable Minister for Local Self-Government is unavoidably absent because of the serious illness of his wife.

Pir Akbar Ali : In that case it would be proper to postpone the demand and discuss it later.

The Honourable Captain Sardar Sir Sikander Hyat Khan : No, the Secretary of the department is here to reply to the questions raised by honourable members.

Pir Akbar Ali : Then remove the Minister and have the Secretary in his place. I already know that these ministers have nothing to do. All their work is done by their secretaries. They are only signing machines.

The Honourable Sardar Sir Jogendra Singh : The honourable member's good sense should tell him that it is not for any honourable member of this House to make such remarks.

Pir Akbar Ali : Sir, I was saying that the money which is taken out of the pockets of the zamindars is not being spent for promoting their welfare, not even a portion of it is being spent for that purpose.

Mr. President : Will the honourable member please speak to the motion ?

Pir Akbar Ali : I suppose I am speaking to the motion. When this scheme was first introduced in this House it was said that it was intended for the benefit of the zamindars of this province. But now as is stated in the memorandum the power generated from this scheme would only be supplied to big towns, big municipalities and railways. I think this scheme will prove as much disappointing to the zamindars as the Sutlej Valley Project. I wish we had not embarked on this scheme. Having begun it we should have proceeded with it in instalments. If the House accepts this demand, no money will be left with us to meet other important requirements of the province. We should cut our coat according to our cloth. If you spend these six lakhs on this scheme you will not be able to give any relief to the zamindars.

Mr. President : Which six lakhs ?

Pir Akbar Ali : The amount included in this demand. With these words I support the motion, now before the House.

Rao Bahadur Chaudhri Chhotu Ram : Owing to my unavoidable absence yesterday and the day before I have not had the benefit of having heard what has been said on this all-important subject. Therefore it may be that in some respects I shall be repeating what has already been stated by some of the previous speakers. Anyway I desire to make a few brief observations on this subject. I do not know exactly where the scheme stands. A good deal of money has been spent, and the tunnel and other important works have, I understand, been completed. Therefore the Honourable Minister for Local Self-Government ought to see that the strength of the officers' cadre and the general establishment is reduced to a minimum so that the expenses during the year may diminish correspondingly. Further, I beg to submit that when the scheme is completed and is put into operation the Minister should see that Indians should get as large a share

[R. B. Ch. Chhotu Ram.]

in the services connected with the working of the scheme as possible. The third point which I should like to raise is the actual working and administration of the scheme. When this scheme was under contemplation and actual work had not started there was a proposal that when the scheme was completed for the purpose of working it should be made over to a private company. Nobody who has had any experience of the working of Government, who has observed the way in which funds are spent by Government departments or has any acquaintance with the manner in which private concerns are run, will doubt that private management is by far the cheapest. Any commercial concern that may be undertaken by Government is bound to result in a good deal of unnecessary overhead charges and therefore the Government should at least consider whether it would not be less expensive to the province to make over the working of this scheme to a private company. Some enterprising company may undertake the working of the scheme on reasonable terms; some enterprising businessmen may come forward to float a company for the purpose. When the scheme gave a definite promise of being profitable, Government itself had proposed that on completion it should be made over for the purposes of working to a private concern.

Perhaps somebody may even now make it profitable. I feel absolutely sure that if the scheme is worked and administered by a Government department, it is likely to prove very expensive and is bound to result in a good deal of loss to the province. So, the only prospect that I can see of making the scheme pay a reasonable return on the capital spent is to make over the scheme to a private concern. It is a huge scheme and people possessing experience of administering big commercial concerns and sufficient financial resources may be willing to undertake the working of it. With the help of their business experience and financial resources they may be able to make the scheme yield a profit however small. With these remarks I support the motion for reduction.

Mr. A. R. Astbury (Secretary to Government, Electricity and Commercial Manager, Hydro-Electric Branch): Sir, I rise with great diffidence in the absence of the Honourable Minister for Local Self-Government who is unavoidably absent for the reasons which have been given to the House and I hope the House will make allowances for my present position. I am sorry that Mr. Owen Roberts is not here at the moment because his contribution was enlightening. At the same time I do not wish to make an invidious comparison because I feel that the contributions to this debate made by Mian Ahmad Yar Khan and one other speaker have also been extremely helpful not only to the House but to me also who have been engaged for seven years, not on the construction side, but on the administration side of this difficult and complicated scheme.

Let us hark back to the remarks made by an earlier speaker who suggested that the estimates on which the working expenses have been based were either carelessly or erroneously prepared or perhaps prepared on insufficient data. Now the great difficulty facing the department when it had to estimate the working expenses was this that it had no precedent to guide it. The scheme has not yet worked for a year. How is it possible to estimate what these working expenses are likely to be? With such a

difficulty before us we had to turn to the report of the Inquiry Committee. The Inquiry Committee laid down certain percentages on the capital cost and advised that the working expenses could be properly calculated by applying those percentages to the capital cost. So, when the department was faced with preparing the estimates, it adopted precisely the same method that the Inquiry Committee had adopted. That being so, I think it is most unfair to say that the department has not based its estimates on proper foundations, and it will be realised that those who say so at the same time criticise the methods of the Inquiry Committee. So much about the preparation of estimates.

Another enquiry has been made as to the policy of Government with regard to the land over which transmission lines are being taken. The policy of the department with regard to the land on which the towers stand is that where the owner of the land can show that his beneficial use of his land is prejudiced, then Government will proceed to acquire the land under the towers under the ordinary methods either of private negotiation or compulsory acquisition under the Land Acquisition Act. The same applies to habitations. If it is necessary when laying the wires to demolish any habitation then naturally the full value will be paid under the Land Acquisition Act for the acquisition of those habitations. That is the general policy. The legal position is that Government in laying these lines throughout the country has simply taken the ordinary law as it stands and used the powers which the law gives. The law on the matter is based on the provisions of the Indian Telegraph Act. When the Telegraph Department had to carry their lines across the country they needed powers for doing so. The Electricity Act embodies in itself those powers which the Telegraph Act confers. Those powers give the licensee the right of user, and you can understand the principle that when Government wishes to have more than the right of user it is prepared to pay for it. That seems to be a fair attitude and that is the present policy of Government.

Another speaker suggested that the cost of working expenses should be borne by the area where the electricity is delivered. That is a very plausible suggestion, but will you consider for a moment where it will lead you? It must also be remembered that this is a suggestion which only usually arises when a loss is concerned. If there is a profit concerned, it is very rare to find that there is a general plea that only that area which benefits shall take those profits. Now, Sir, let us apply to it the parallel case of irrigation. I have never heard a suggestion that each area irrigated shall meet the capital cost of each particular canal. It is considered as a provincial subject and it is borne by the finances of the province as a whole, that is to say if it is carried out from the provincial loan fund—it is to provincial loans fund that all these charges are brought. Exactly in the same way it will be quite impossible for any Government to parcel out its electrical enterprise and subdivide its accounts and its charges to the particular area served. In practice it will be quite impracticable to do so, and you will see the illogicality of it when you consider that it is only brought forward when losses are involved.

Mr. Owen Roberts brought various criticisms against the policy in general and some of the actions in detail which have been attributed to the department. I will summarise these just to make my replies concise. The criticism seems to me to fall under three heads. The Government has

[Mr. A. R. Astbury.]

taken too much power for itself, not electrical power but administrative power. Secondly, the conditions of supply are either too complicated or they are not expressed in simple words. Thirdly, he suggested that a better agency for the operation of this scheme would be a public commission. I will deal with these criticisms in the same order, that is, I will revert to the suggestion that Government has taken too much power to itself. It was said that Government has taken out a large number of licences. That is not actually the fact. Government has only taken out one licence.

Mr. Owen Roberts : That was not my statement at all.

Mr. A. R. Astbury : That is what your speech says.

Mr. Owen Roberts : I have not corrected any speech for the reporter. Certainly that was never my intention. I did not raise that point. I simply said that Government had taken over large areas.

Mr. A. R. Astbury : The policy of Government is to follow as far as might be possible within the law as it stood those rights and those obligations which an ordinary licensee possesses or has to undergo. That perhaps was rather a bold policy to adopt and this policy so far as I am aware, has not been adopted by any other Government in the world. The usual policy which is adopted by governments who wish to undertake the giving of public electricity supply is that before they commence to do anything of the kind they pass special legislation. I would take two instances of this. The Irish Free State has recently, that is to say, within the last three years started to give the Irish people the benefits of a large hydro-electric scheme. But before it did so, it took the precaution of repealing all law of the British legislation and passing a new Act by which it is empowered to acquire all previous licensees' properties. In other words the Irish Free State has seen that for Government to control an enterprise of this kind it is necessary to have complete control of electricity supply in its own hands.

Another case which is perhaps even more striking in some ways is Soviet Russia. There, about six months ago, was completed the largest single hydro-electric scheme in the world. It is a scheme which is so large that the Mandi scheme is in about the proportion of a cat to an elephant. But naturally when you undertake schemes of that kind you have to be very particular to see that the control is in your own hands, but there is no such difficulty in Soviet Russia. The Russian Government has in its own hands complete control over anything and everything and therefore no special legislation was required. But even so, for the satisfaction of those principles the Russian Government has entrusted the management of this great electricity scheme to, what I suppose corresponds to a commission, that is to say, it has appointed a special body of men whose sole function it is to administer their hydro-electric undertakings. When it is alleged that the Punjab Government has taken too much power to itself, I am afraid the reply really is that it has taken far too little, and in course of time it will be discovered more and more and I am afraid it will be necessary probably in the next three or four years for this Government to ask the Government of India to be permitted to pass a special Electricity Act for this province in order that it may have more power instead of less.

I now come to the question of the terms of supply which have been stated to be either too complicated or unfamiliar. One of the points that was raised was the use of the word 'earth' in one of the conditions. I am afraid it is quite impossible to write any conditions relating to electricity which do not contain some terms which are unfamiliar to the general public. Let us take the word 'unit'. If I were to ask every member in this House to write down the definition of the word 'unit' I doubt if all members will get full marks, and yet you cannot begin to talk about electricity unless you use the word unit and so I submit that it is plain that when there is a technical term in our rural conditions, the reason is that it is impossible to avoid such terms.

As to the particular rule about which objection was raised the meaning of the rule is simply this that if you see a wire being fused you must switch off the current, that is all that the rule means in its elementary simplicity but it must be stated accurately and to state it accurately one is obliged to use the ordinary terms of electrical parlance.

Then, I come to rule 27. In that rule power is reserved to Government to change the rates of charge from time to time. The point raised was that it is unfair to do that. In one circumstance I admit that it will be quite unfair to do that and that is the circumstance when an agreement has been drawn between a consumer and the supplier to give a certain supply for a term of years. In that case the agreement must give the rate on which supply must be given. But the agreement which everybody is called on to supply contains no element of time, that is to say a man may leave off using current whenever he likes. The ordinary law on this subject lays down two very clear and simple principles. The first principle is that the rates should not exceed a certain maximum which is allowed in the licence. Every licensee may charge what he likes within that maximum provided he observes the cardinal principle that he treats all consumers alike without showing any undue preference to any class of people. Subject to this restriction the licensee has full powers to alter the rates from time to time.

Again, Mr. Owen Roberts spoke somewhat strongly, as a business man he has perhaps a right to speak somewhat strongly on such a business subject. I ask him whether any business man would undertake to sell his goods at a fixed price for all time. He must be allowed to alter his price in accordance with the market conditions. It is only common sense and if you say that Government is doing something which other people do not do I would refer him to clause 14 of the conditions of supply of one of our best companies in the Punjab which reads as follows :

The principles and method for charging current supply shall be such as may from time to time be fixed by the licensee in accordance with the provisions of the Act and the licence.

The wording we have adopted is almost exactly the same, because both are taken from the same source, that is to say, the model rules which are recommended in the great work on electrical law of Mr. Meares. So, there is nothing unusual and there is nothing unbusinesslike in Government reserving certain powers and rights to itself. These are, however, almost minor details.

[Mr. A. R. Astbury.]

If I may take a little more time I shall refer to some of the more important points. It has been suggested that we have curtailed in some way or other the rights of the Electric Inspector. That is not so. As far as I am aware, the rights of the Electric Inspector have not been injured. Government is very anxious that it should not injure those rights, because it looks to the Electric Inspector just as the railways look to its inspecting officer as an outside technical audit. The Government takes the greatest care to divide the internal working of the department so as to give a free hand to the Electric Inspector and I may inform the House that he is not under the orders or direction in any way of the Honourable Minister for Local Self-Government. The Electric Inspector is under the Honourable Revenue Member and care is being taken so to sub-divide his duties that that separation is inviolable.

Next, some exception was taken to the fact that in our licence we have excepted certain clauses of the schedule to the Electricity Act. Naturally we could not except those clauses of the schedule unless we were entitled to do so by the Act itself. The Act provides those powers and we have merely used those powers which are there in the Act and it is not a question of right, but a question of necessity or desirability. If you see what those exceptions mean you will see that they nearly all fall within one reason. The reason is this that the Mandi Scheme is dependent for its supply on a natural source, that is to say, the Uhl river. Now, we cannot increase the flow of that river. Therefore we cannot admit an unlimited liability to give electric supply, because it is not in our power to do so. Had we not excepted those clauses of the schedule, it would have meant this, that when we sanction that licence we commit this House to an unlimited liability to build power stations driven by oil or coal so that whenever a demand arises we should be compelled to meet it. I am sure we would not be right to let in this House for such an unlimited liability as that. That is one of the main reasons why those clauses in the schedule were excepted.

As regards arbitration, it has been provided for in the Act itself and it is not within the powers of this House or of Government itself to alter it. Arbitration is there and remains there.

Lastly, I come to this very difficult question of the method of managing the scheme. The present policy, as everybody knows, is that it shall be managed by a department of Government. You may say that that was the easiest course to take and therefore it was taken. No doubt there is some truth in that. When you use an instrument of Government, you have all the men available who built the scheme. They know all the detailed working of it and it would be extremely difficult to find an entirely new body of men with the same experience for working that machinery. There is that immediate advantage in employing those old hands. But perhaps it was not so much in the detail of management that the point was raised that this Government should employ a commission. The commission is not at all a new idea in India. There are many commissions. If we include in that term the trusts which manage the various ports of India, there is the Bombay Port Trust, the Karachi Port Trust, the Calcutta Port Trust and various other trusts. Government very seriously considered whether it should form a commission to manage the hydro-electric scheme or

whether it should itself assume direct control. Now, the fundamental feature of these commissions is that they have financial control. They have full control over all the establishments. Then, none of the questions or very few of them that we are discussing to-day would be open to debate in this Council. All such matters would be entirely within the scope of the commission, and it would be necessary to pass an Act in order to give that commission all the powers just as the Port Trusts have their Acts giving them various powers. It is a very large question and personally I think it is very likely that the time will come when it is discovered that the political or other interference with this scheme may persuade the members of the House that it is in their own interests to divest themselves of those powers. In fact that is the common history of many schemes in our colonies, more particularly the Australasian colonies. In those colonies there are several examples where hydro-electric schemes have been started and they have been managed in the first instance by the Governments directly. But it has usually not been long before such difficulties have arisen, which I need not go into in detail, that have led them to consider that the political control of such technical schemes had better be done away with. So that, in principle I say it should be considered as an open question to be reconsidered from time to time when it is thought that the temper of this House is such that it would be likely to agree to divest itself of its financial control over this large scheme. Then the time will be ripe. At present who can say? (*Cheers*).

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban): Sir, in a day or two we shall see that practically the first stage of the scheme is finished. So, it is no use for me to waste the time of the House by speaking about the past. Moreover the scheme was not inaugurated by the present Minister. He had only to carry on the work which had been started by his predecessors. What I am at present concerned with is that its administration should be managed in the best manner possible. Everybody in this House, in fact everybody in the province knows that the scheme was originally estimated to cost 1,50,00,000 of rupees. Now it has been found to cost six crores of rupees. Government experts and Government engineers might say that they did not foresee this and that they did not foresee that. But the fact remains that such serious mistakes cannot inspire confidence in the public as to the soundness of the scheme. Now, that the scheme is finished we are concerned with its working and we wish that no more mistakes are made in the future. A great amount of prosperity of the Punjab is going to depend upon the scheme. We have spent money and it is for us to see that we make the best use of the scheme. We have paid the piper and so we want a tune which would be acceptable to us. The object of my present criticism is not to go into the past history but to request the Honourable Minister to have a vigilant eye on the future and to see that the scheme does not fail on account of any errors. I hope that the Honourable Minister will take the remarks that are offered now as having reference to the future. So our criticism where it is right should have effect on the future policy of the Government. Our criticism, if really right, should have some effect on the future management of this department. Mr. Astbury has brought in the comparison of a cat and an elephant. I know cat is a scratching animal. We have to see that it does not scratch the pockets of the people of this country. The cat has to remain within its bounds and it has to remain under our control and we should not

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let loose this cat and allow it to injure and maim the future prosperity of the Punjab. I want you to read and study the speech of Mr. Owen Roberts dispassionately. Mr. Owen Roberts is a great business-man. We have to thank him for bringing out certain facts to the notice of this House. But for him we would not have known them at all. His one objection is that the Government should not have the right to increase the rates. The Chief Engineer said that this is a custom with every Government and it has a right to increase the rates just like a company under certain section or certain rule. He is not right. Between the general consumer and the company there is another party and that is the Government. If the Lahore Electric Supply Company wants to raise its rates Mr. Astbury's presence will be a very useful thing. He may say, "you get so much profit, how can you raise the rates?" But in this case the two parties are the consumer and the Government, and I ask Mr. Astbury whether he seriously thinks that the analogy between the consumer and the company applies in this case, where there is a dispute between the consumer and the Government. I know the Amritsar municipality attempted to raise its rates many a time but the Government said, 'no.' In fact we had to pay one or two pice out of our own pockets but the Government would not allow us to increase the rates. So, if the question is between the consumer and the Government, the Chief Engineer or the Minister can strangle an industry in 5 minutes by raising the rate from say 2 to 4 annas. I ask what is the consumer to do in such a case? He can appeal to the Government and to the legislature, but in this case the Government and the legislature are one and the same. Because the ministry will be what is called representative of the Council. The Minister can say, 'if you do not agree, I go out.' And many a time the party will have to say, yes, to whatever the Minister says. Even last time the Honourable Minister then in charge said 'if you do not say "yes" it means avote of sensure and I go out and that means a vote of censure on your own party.' Therefore we had to say 'yes' to the scheme at that time. Similarly the same thing will happen in future. For instance, suppose after the Honourable Minister retires from politics he builds some 20 ginning factories at Lahore. And to-morrow another Minister comes, say Pir Akbar Ali. He may try to show his power against Dr. Gokul Chand and raise the rate from annas 2 to 3 or 4 annas from the 1st of April. I say April 1st because it is a day on which practical jokes are cut. Then what are the people to do? You will find that the whole of the business in the Punjab will come to a stand still and many factories will come to grief. So let the Government say, 'if we want to increase the rates there will be some form of intermediary to judge whether the increase is proper or not.' My zamindar friends will realise this. The Government raised the *abiana* suddenly by 60 lakhs. What happened? There was only one alternative. Either leave the land or pay the exorbitant prices. In places like Lyailpur and Montgomery where there are no wells, people had to pay the higher rates. We do not want this thing to occur again. We do not want any future Government based on a party system to upset all the industries of the Punjab. If you put this aspect before the people, I am sure 90 per cent. of them will hesitate to entrust the matter to the Government. It is a common sense business proposition. The Government will be in the position of a seller and it cannot arbitrate. You cannot expect a man to sink a tube well at a cost of 8 to 10

thousand rupees and to abandon it when the cost of electric energy is raised. It will not do for you to say, 'well if he cannot pay, let him abandon it.' It means he will ruin himself and ruin his future generations. If he knows that the rates are going to be increased, he will not take to electricity at all but will go in for a Diesel Engine. So I want the Honourable Minister to give an assurance that the system which is going to be worked out will be one which is approved by the people of this province. With regard to question of arbitration, suppose there is a dispute between him and myself, will he say, 'I will arbitrate or I will ask my munshi to arbitrate'? If he thinks so, I cannot congratulate him on that. There is no sense in it. Here is a consumer and the supplier, i.e., the Government or as you say the Electrical Inspector who is under your authority. To say that such a person will be above board is not a good proposition and no sane man will accept it. Is not the Electrical Inspector part and parcel of the same Government? Will it take very long for the Revenue Member to just tune his ears for a minute and order him to do or not to do a certain thing? In fact the Electrical Engineer being a servant of the Government will not be an independent officer like the High Court Judge. He is going to be under the Minister. So to say that the arbitration should be left to such an officer is untenable. My argument is not that the Government should not control their own affairs, or that it should not take over the management of this business. In fact I think that the Government has done the right thing in keeping the right of licensees to itself. By and by it should take over the rights of all other companies. But the benefit should go to the public. I know they are charging 6 annas for the power in the Punjab. I know it should be sold at 1 anna. Electricity is not intended only for the lawyer or business man but it should also be available to the poor man, the artisan, for instance, who can work throughout night with cheap light and make a good living. It should be supplied at such a cheap rate that it might be available even to a pauper. It should be made available to everybody. So our criticism is not destructive, but it is constructive. Let us make a success of the scheme and not try to wreck it. Let the conduct of the Government, of the department and of the experts be such as to inspire confidence in the future. This department is a transferred department. We want to control it, but for whose benefit? Is it for the benefit of the people and the Government? We want to run it on economic lines and in such a way that it will be beneficial to the people. Now my honourable friend has dug up certain rules from the gazette. If the Government is going to run this department with these rules, there will be no confidence in the public. People will go in not for electricity but for crude oil engines. For instance, in the Amritsar municipal area a company wanted to open a flour factory and wanted to use electric power. But there was no guarantee that in future the rates would not be increased. So they were forced to buy Diesel oil engines. My own firm had to spend Rs. 25,000 to 30,000 to buy crude oil engines simply because we were not sure whether in future the rate would remain the same or would be increased. There is such an uncertainty. What is the object of these rates? Why should you not start with the maximum? Why should you start with the minimum and then try to increase them. The Government should decrease the rates if necessary and not increase them. I ask you why should there be low rates now and later on why should you increase them?

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If you have low rates, and by and by you produce more electricity and there are more consumers, more electricity will be consumed and the prices should fall down and not go up. So you should see that the rates that you are going to fix should come down and not go up. Why should you tempt people now to take to electricity by offering cheap rates and later on increase them when they have put up their plant, etc., and cannot change them? If you think it is not paying to-day at a certain rate, why give it at those rates to-day and then increase them? The best thing will be to offer reasonable rates once for all so that people may decide whether to go in for electricity or not. If an earthquake or something like that comes in Mandi, that is a different thing. But ordinarily the rates should go down and not go up, because there is nothing to be spent when once you begin to produce energy. The water will be coming and you will have to spend only on annual repairs. So, if you have a provision that the rates might be increased it will be a hindrance to the public and to the future working of the department. I must ask my friends on the other benches not to treat my criticism as a destructive criticism but as a constructive one. The experts have made a mess of the whole scheme and let us not make the position still worse. Inspire confidence in the people by appointing a commission. But I do not want that the members of the commission should be from outside the Punjab. Businessmen can go through the whole scheme properly and insure that the intentions of the Government are quite all right and that there is no fear that Government will do anything to destroy the confidence of the people. After all within 14 months it is going to be absolutely the control of the Ministers over all the departments of Government. Why not, then, start to-day with these ideas? I know Government is not bad, their intentions are not bad, but why let this lever fall into the hands of the politicians? Why not start to-day with a clean slate so that people may have confidence in the Government. Make such terms as are agreeable to the people. If these are the only terms which have been stated in this House on which people are to buy, I tell you that the people will not buy immediately. The result will be that probably you will have to pay in the capital—

The Honourable Sardar Sir Jogendra Singh : Has the honourable member seen the tariffs?

Shaikh Muhammad Sadiq : Unfortunately the fact is that though there has been a talk about this matter in this House for the last two or three days the Government has not taken care to give us the tariffs. They could have said 'here are tariffs see whether they are not low.' In Amritsar we wanted to buy Diesel engines to produce electricity. The Government said 'no, unless you promise that you will buy electricity from us we will not lend you any money.' We could produce a unit at 6 to 8 pies whereas the Government made us buy at 14 pies. The Lahore Electric Supply is raising a unit at 2 pice and yet the cost to the Government would be greater than the rate at which we would have produced. They forced us to buy at 14 pies where we could have raised it at 10 pies. There can be no confidence in the Government in the face of such things. I want the contract to be cyclostyled. If the Lahore Electric Supply were to say, as the Government has said that they would supply only at such and such a rate otherwise

disconnect, you will have to take away all your lights in this hall and then you will have to break the walls and put on new lighting arrangements, perhaps hang oil lamps and thousands of rupees spent on this will be wasted. What will you then do with your pankhas? Will Mr. Astbury or Dr. Gokul Chand Narang take away these lamps? What will people do with the thousands of lamps that they have? I therefore submit that the object of the debate is that something should be done that we should not lose any more money and that we should gain the confidence of the public and make the scheme a success and our object is not to offer only destructive criticism.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) : I am sorry that for a part of the time I was not present in the House and was therefore deprived of the advantage of hearing some of the speakers. I do not know how many have spoken, but I am told that Rao Bahadur Chaudhri Chhotu Ram did. When this cut was moved by the honourable mover of the amendment I was reminded of a story which some time ago I read either in Punch or in some other such paper. A gentleman wanted to go for a short holiday to the seaside and he discussed the question with his wife. The husband suggested "let us go to Bournemouth" and praised Bournemouth very much, its beautiful sea front and beautiful chimes and the scenery and so on. The wife said "no, we should go to Margate. It has a very wide sea front and beautiful beach and we can sit in the sun and all that." Ultimately as usual the husband gave in and they went to Margate. But it so happened that not having any control over the god of the skies, throughout the whole week that they were there, there was no sun and it was cold, the rain came pouring down and winds blew and their stay was made thoroughly unpleasant while they were there. The wife said "why did you come here?" The husband said. "My dear it was you who suggested Margate, I suggested Bournemouth." "But why did you agree?" said the wife. It is almost exactly the position that was taken up by my honourable friend the mover of this cut. He referred to my position, he referred, as he thought, to the taunt that I, according to him, had flung at my honourable friend the then Minister in charge and wanted to apply it to me. Well, I thought he would have given me credit for foreseeing the difficulties over which he is now so upset. I tried to stop him from going into this question of the past not in my own interest. In fact it would have been in my interest to allow him to go on and condemn the scheme as thoroughly as he possibly could. That would have strengthened the position I had taken up in this House some years ago. But then he accused me of change of views and conscience and this and that. I need not go into this question. My views about this scheme were fully expressed in this House and they are well known. I do not want to repeat them at the present moment. There is no occasion for me to express or repeat my views or to contradict my views so far as the principle and policy of the scheme are concerned. Nor is it necessary to go into this question at this stage. In fact one or two years ago when a similar question was raised I pointed out to the honourable members of this House that it was really waste of time and energy to dig up old things and to cry over spilt milk. That was really crying over spilt milk. We should see now, as pointed out by Mr. Sadiq, how we could carry on the scheme in the most advantageous manner. I would, therefore, not go into that question and it is rather regrettable that

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an effort was made to rake up old things. It would have been unfair to my honourable friend, the illustrious leader of his party, as he described him, if he had gone on much further with the condemnation of the scheme. And if I had really any grudge against his illustrious leader, I should have encouraged him to go on with it because the longer he would have gone on the longer and severer would have been the condemnation of his own illustrious leader. It was however a good thing that better sense prevailed ultimately though after some time and he did not go any further into the rights and wrongs of this scheme.

The only question that is now before the House is a demand for a sum of Rs. 6,85,400 for the working expenses of this scheme other than establishment. This is the amount that we want for the working of this scheme next year and to suggest that this amount should not be granted is really tantamount to this that you build the whole railway from Lahore to Peshawar, you build beautiful trains with saloons and all that and import very powerful locomotives and you get everything ready for the start and then you say we are not going to allow you to put the points or signals or any such things on the line because it has already cost us so much. Tell me, Sir, whether there is any difference in principle between the illustration that I have given and the cut that has been proposed before you if that is really intended to be taken seriously. Of course if the object is as was suggested by my predecessor, the honourable member for Amritsar, to draw the attention of Government that economy should be observed, then certainly it has served its purpose and repeated assurances have been given from this bench that every possible care is taken before even a penny is spent either on this scheme or on any other similar project of Government. After all, members of Government are human beings, their agents, the chief engineers, the superintending engineers and executive engineers and other officers are human beings and they are likely to err. The only question is whether they have been doing their best and I assure the House that apart from the original policy and principle of the scheme, judging from what I have seen during the last two years you cannot blame any officer of this department for failure of duty. In fact they have been doing their best and it requires only a visit to the works at Jogendranagar and Barot and other places to see what beautiful and solid work they have turned out. They have worked in the most difficult position and in the face of so many difficulties that it is really wonderful that these human beings have been able to surmount these difficulties and have turned out a work which if it was entrusted to a poet to celebrate would really be attributed to giants and supermen. So far as the points touched in the various speeches are concerned, I should like to say a few words. The criticism of Mr. Owen Roberts related to certain matters of details about rates and other things. These points have been dealt with very thoroughly by Mr. Astbury and I congratulate him on the most excellent speech that he made in reply to Mr. Owen Robert's speech. As I have known from my experience of the last thirty months or so, he is not only an excellent writer but has also proved that he is an equally excellent speaker and can be trusted to defend his department with the greatest success, and I am glad that he was here to step into the breach.

Mr. Owen Roberts : On a point of order, Sir. The Honourable Minister was not here when the speech on which he is congratulating the honourable member, Mr. Astbury was delivered.

The Honourable Dr. Gokul Chand Narang : I did not hear Mr. Astbury's whole speech. But having heard a part of it I have no doubt that the part unheard must have been as excellent, as reasonable and as argumentative as the part I had heard. I need not go into these questions of detail and the rules which were brought forward by Mr. Owen Roberts. My honourable friend, Chaudhri Allah Dad Khan brought out a point and that was that they were not going to give a penny because the zamindars were not going to get any electricity. That is again a misunderstanding. I do not know how many times I should try to remove that misunderstanding. Nobody has said that zamindars will not get electricity. There is no Electricity Alienation Act to be applied to this department which will deprive the zamindar of the use of electricity. Any one who pays will get it and will get it without any favour or differentiation in the charges, as has been pointed out by Mr. Astbury. (*An honourable member : Where?*). Wherever he wants and wherever the energy can be carried, provided he is prepared to pay for it. We can send electricity to Kabul, if you like, if Kabul is willing to pay the charges and if we have the means of transport to such a distant place. Nobody can say that he is deprived of the blessings of this energy. I make it as clear as words possibly can or my words possibly can do that no one by virtue of his being a cultivator, a landowner or an industrialist or a shopkeeper or following any other profession is going to be deprived of the use of this energy provided that he is prepared to pay according to the tariffs which have been sanctioned by Government. The only question that arose was whether it was practicable at this stage to take electricity to very far off and distant places, and it was necessary to point out to honourable members that it would be most expensive to do so. Either the expenses must be incurred by the consumer or they must be incurred by Government. In either case the burden really falls on the province. If the individual consumer is prepared to pay for instance to take electricity to a distance of ten miles from a sub-station and is prepared to pay the cost, no one will deny him this pleasure if the power is available and if he moves in the matter in time. But the question is whether it would pay him to take it to such a distance. Now water is available from the water-works in Lahore. If a person wants the water at a place which is far away from the mains, he has to pay for the pipes which are taken from the mains to his house. If the municipality demands this, you cannot say that it is partial or is unjust or is hard on such consumers. The rules are there, pay for the pipes and for the water. Similarly we say : pay for electricity. It was only to point out to the House in order to prevent false hopes being raised that I stated here that electricity could be supplied at this stage only to reasonable places where the cost of carriage would not be prohibitive. Beyond that there is no embargo laid on the supply of electricity to zamindars. All are on the same footing provided that they pay according to the tariff. I hope after this declaration of mine there will not be any misunderstanding left that any distinction is being made between one consumer and another.

Another point which was raised during the debate was the one raised by the honourable member for Lahore rural (Khan Bahadur Sardar

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Habib Ullah), and that was that some land had come under the towers and no compensation had been paid. There is a great deal of force in that point, I admit, and for his satisfaction I would like to tell him that the question has been considered by Government. It has been ruled that where the owner of a land has been deprived of the beneficial use of the land coming under the tower, compensation should be paid to him. Those orders have in fact been issued but the onus will lie on the owner to show that he has actually been deprived of the beneficial use of the land in question. Beyond that I do not think the honourable member would expect the Government to go and I think that this should satisfy him.

One point which was raised by another speaker, I believe, Rao Bahadur Chaudhri Chhotu Ram—I speak subject to correction because I was not present in the House—was that the whole project should be made over to some private persons or a private company. I do not know whether he made quite clear what object he had in making that suggestion, whether he wanted the whole project to be made over to a private agency on the basis of commission just as some people entrust their business to some managing agents in lieu of some commission to be paid to them for their assistance or whether the whole project should be made over to some private person on receipt of the total capital cost from him. If the first, I would respectfully explain to him and try to convince him that the proposal is not a feasible one. If the management is carried on by private agency it does not necessarily follow that the management will be cheaper. That agency will have to employ the same staff which the Government has now employed to distribute electricity. The result would only be that the cost which Government will now incur will be added to the fee or the commission of the managing agents. Does that suit the honourable members? I hope honourable members are not such strangers to business as to support any such suggestion. No one will pay an outsider for doing his work if he can do the same work himself without any extra cost. If the honourable member's object on the other hand was that the whole scheme should be made over to some one on receipt of the whole of the capital cost, then it was an equally impossible and impracticable proposal. When you take into consideration the cost of the project which was initiated by the honourable member, Rao Bahadur Chaudhri Chhotu Ram himself, or I should say, during his time, you will have an idea of the difficulty of finding any private agency which would be in a position to pay Rs. 6 crores or so and take over this project which you yourself are condemning. It would be a bad policy to condemn it at this stage if you really wanted to find a private agency to carry it on. By their speeches honourable members have told the outside world that the scheme is bad, thoroughly bad and that it is ruining the province, it is bad financially and so on. And yet their leader is expecting that some private person with more money in his pocket than brains in his head would come forward to take charge of this scheme on payment of the total capital cost on it. I think the very mention of this suggestion is sufficient to condemn it as impracticable. Then the honourable member did not point out what guarantees he was going to have from such a private agency, if we for the sake of argument, were to accept his suggestion. You take a company of five, twenty or one hundred persons or any number you like, and

make over the whole scheme to them. It means you make over the nerve centre of your province into private hands, into a clique of businessmen, into a caucus of profiteering people, people who are out to make as much money as they possibly can. What guarantees are you going to take from them that they would not make a distinction between one consumer and another, that they would not raise the prices within the maxima to an inordinate extent, that they would even be able to maintain the supply at its normal strength and that no hanky-panky would be done with the scheme. In order to convince you that such a scheme is impossible I shall only refer to what the Government actually did. We had to meet in order to consider the question whether the work of distribution, as is being suggested now, should be made over to a private agency or should be carried on by Government itself. I felt, being a somewhat democratic person and being perhaps a little more in touch with the public than some of the other official members that it would be better from a political point of view to ascertain whether any private people were prepared to take up this work. It was decided that we should ascertain the public feeling on this point. Notices were issued in a number of newspapers enquiring whether any one would be prepared to take up the work of distribution. Certain terms were given. Would honourable members believe me that only one company offered to take up the work and within a few days or perhaps two or three weeks even that company backed out? Not a single person came forward, not a single company came forward to take up the work. The work is so difficult, so complicated, so delicate and full of so much risk that private individuals and private companies are not prepared to take it up. Therefore I think that the suggestion made by my honourable friend Rao Bahadur Chaudhri Chhotu Ram is not at all feasible.

Then another point was made, this time by our redoubtable friend from Amritsar. All that I could gather from his speech was that he had some objection to two things. One was that he thought Government would have too much power. He gave an illustration, possibly pointing to me: supposing after retirement you start, say, twenty factories—which I may by the way assure him is an impossibility with me—and supposing Pir Akbar Ali is the Minister and he raises the electricity charges—I do not know if the Pir Sahib has any grudge against me, I wish him success, but I am sure he would not do any such thing as is attributed to him by my honourable friend Shaikh Muhammad Sadiq,—then what will happen? Government should not be given this power, my honourable friend said. And this point was raised in spite of the fact so clearly brought out by Mr. Astbury that Government was not placing itself in any extraordinary or special position of advantage, beyond the privilege which is enjoyed by every licensee. All that the licence or law lays down is that the maxima would be fixed, the maximum rates for the various kinds of consumption for which electricity could be required. Within those maxima a licensee can raise or reduce the rates. Government have not done anything more than that. If you deprive Government of this privilege you place the Government in a position which as compared with the position of a private licensee is very disadvantageous and I am sure honourable members will not like to place their own Government which represents them in this matter in a position which is less favourable than the position of a private licensee. The position is so clear that I do

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not really understand why one with claims to business talents like my honourable friend from Amritsar could have fallen into such an error. Then again my honourable friend overlooked one fact. That was also pointed out by Mr. Astbury. The agreement which was discussed by Mr. Owen Roberts relates only to ordinary consumers without any fixed period of time. The consumer who enters into an agreement for a fixed period of years would know for certainty that within the period of that contract his rates would not be increased and Government cannot increase even as a private licensee cannot. That is a matter of contract and within the terms of that contract the rates cannot be raised.

Mr. Owen Roberts : Will the Honourable Minister agree that the same clause exists in industrial contracts ?

The Honourable Dr. Gokul Chand Narang : That is a matter of contract and beyond the terms of that contract the rates cannot be raised.

Mr. Owen Roberts : Will the Honourable Minister agree that the same clause exists in the industrial contract ?

The Honourable Dr. Gokul Chand Narang : If an industrialist wants to place himself in the position of an ordinary consumer—one who wants a few lights only—then the ordinary contract would apply to him, but he would not be an industrialist worth the name if he does not get a special contract from the Electricity Department of Government when he embarks on any industrial scheme.

Mr. Owen Roberts : Will the Honourable Minister for Local Self-Government give us a copy of this special contract so that we may see it ?

The Honourable Dr. Gokul Chand Narang : I am surprised at Mr. Owen Roberts putting that question. Special contracts depend upon special terms upon which contracting parties might agree and, therefore, there cannot be any stereotyped special contract. This is a contract for ordinary consumers without any fixed period of time, but if there is any consumer who wants to enter into a special contract then he and the Government, like ordinary contracting parties, would draw up a contract to which both parties agree and that would be signed by both the parties and that would remain in force for the period for which it is entered into.

Mr. Owen Roberts : How will the Honourable Minister get away from charges of favouritism ?

The Honourable Dr. Gokul Chand Narang : No, there will be no difference in rates. There cannot be any difference in rates. I make it quite clear again that there will be no favouritism. The rates given in the tariffs will be the same and they will be based on the number of years for which the supply is taken. Supposing Mr. Owen Roberts wants bulk supply for his factory and wants it say for ten years and gives an undertaking that he would be using 500 kilowatts with a certain amount of load factor and then Sardar Habib Ullah comes forward and says, I am going to take 500 kilowatts and the same load factor, there will not be any difference between the two rates. But if Khan Bahadur says, I want it for five years and I want only 250 kilowatts and I want a smaller load factor then there may be difference. Because the premises differ the conclusion must differ. Otherwise if the demand is the same, there will be no difference in the rates.

Elaborate tariffs have been printed and I believe they can be had by honourable members if they want to satisfy themselves on the question of rates. There is no possibility of any favouritism, but I may say that if a private licensee wants to enter into a special contract with any particular consumer and the consumer gives him very good terms, then like a person who is anxious to sell his wares it will be naturally in his interest to treat his consumers as leniently as possible and you will see that in the tariffs which Government has prepared great leniency is shown to bulk supply consumers. The larger the quantity they take, the lower will be the rates and in this the same principle is involved as—

ارزان بفروش و بسیار بفروش

The more you buy the cheaper you will buy. If we are in a position to sell cheaper, we shall sell cheaper. But otherwise there will be no difference between one consumer and another.

The other point that Shaikh Muhammad Sadiq raised was that Government was going to charge very high rates. He was very much mistaken in that. In his own inimitable way he went on saying, Lahore Electric Supply's cost per unit is four pies and the Mandi scheme cost is four times, that is sixteen pies. I need hardly assure the House that he was entirely mistaken in this. Nobody knows except perhaps those who may be in the secret of the Lahore Electric Supply Company as to what their cost of production of one unit of electrical energy is, but Sardar Habib Ullah has been a member of the Inquiry Committee and he knows that the calculation which was made by him and his colleagues was 8·14 pies per unit. I would, therefore, say that Mr. Sadiq was cent. per cent. out in his calculations.

He also suggested another thing and I believe that also touched one of the points raised by Mr. Owen Roberts and that is whether in cases of dispute there is to be any independent body of men that would adjudicate on the points of dispute between the Government and the consumers and he made some suggestions on that point. If my honourable friend would look at page 269 of Meare's book he will find that there is a provision for an advisory board and in such cases where the maxima has to be raised Government may take the advice of the advisory board, and follow the advice of the advisory board. Perhaps honourable members are not aware that we have got an electricity board in this province consisting of official and non-official members. If I am not mistaken—that is really Honourable Revenue Member's portfolio—Mian Nurullah and Mr. Puri are its members, having only recently taken the places of Lala Harkishan Lal and Sardar Habib Ullah. This is what we find on page 269 of Meares' book—

Save as provided by clause IX, sub-clause (3), the prices charged by the licensee for energy supplied by him shall not exceed the maxima fixed by his licence, or, in the case of a method of charge approved by the Local Government, such maxima as the Local Government shall fix in approving the method :

Provided, that, if, at any time after the expiration of seven years from the commencement of the licence, the Local Government considers that the maxima so fixed or approved as aforesaid should be altered, it shall refer the matter to an Advisory Board and, if the Board recommends any alteration, may make an order in accordance with such recommendation which shall have effect from such date as may be mentioned therein:

Provided, also, that, where an order in pursuance of the foregoing proviso has been made, no further order altering the maxima fixed thereby shall be made until the expiration of another period of five years.

[The Hon. Dr. Gokul Chand Narang.]

So that after the advice of the advisory board has been taken, it will be binding for five years and it cannot be changed during those five years.

Then the honourable member said that there was plenty of room between the maxima fixed to ruin people. It is of course a very obvious thing that there is scope for alteration within the maxima, but I would not use the words that there is scope for ruining the people. What he seems to wish is that no licensee should have the power to change the rates even within those maxima. I hope he understands that when fixing the maxima Government takes care to see that those maxima are not ruinous and even if those maxima were adopted they would not work hardship on the consumer but to deprive the licensee of the power and privilege of altering rates within those maxima would be placing him in a position in which no vendor of any article can be placed by any law, whether by the law applicable to sale of goods or the ordinary law of contract. As was pointed out by Mr. Astbury, when you expose wares for sale it is for you to fix the rates but in order to protect the public from any vagaries of the licensee, a maxima has to be fixed in the licence and it would interest honourable members to know that the rates on which Government is going to supply electric power would compare very favourably with the rates current now which are followed by the Lahore Electric Supply Company. To take one instance alone, the lighting charges at Lahore, for instance, are eight annas a unit subject to a discount of 25 per cent. if the bill is paid within fixed time, that is within a fortnight. That means a net charge of six annas per unit of current used for lighting purposes. Government is going to give you that at a maximum charge of $4\frac{1}{2}$ annas per unit, it may be much less than that—but even this rate means a saving of 25 per cent. over the existing rate at which electricity is available to the honourable members in Lahore from the Lahore Electric Supply Company. (*A voice*: Will the charge be the same in other cities also?). I am mentioning Lahore because there is a competition. Here the rates are to be compared with those of the Lahore Electric Supply Company, but the same will be the case at Sheikhupura and the same will be the case in Lyallpur and other places wherever these transmission lines have reached. The maximum will be $4\frac{1}{2}$ annas, that is 25 per cent. less than what is charged at Lahore by the Lahore Electric Supply Company, and you may rest assured that the rates for other purposes, for heating purposes, for industrial purposes will be proportionately lower, so that if this is so, you may just imagine what a huge saving it is to the province on the whole, if there is saving of $1\frac{1}{2}$ annas per unit. If I am not mistaken the total supply of energy is 186 million units. If there is going to be a saving of $1\frac{1}{2}$ annas per unit, and supposing the whole energy was to be used for lighting purposes alone, then you can imagine what the net saving would be to the province on 13 crores and 60 lakhs of units that this project is going to supply to you. If you calculate the saving, you will see that it comes to Rs. 1,86 lakhs. This will be the saving if the whole supply were to be utilised for lighting purposes. I would, therefore, submit, Sir, that so far as this particular demand is concerned it will serve no useful purpose, if this demand is not granted.

Before I sit down I would like to touch one point raised by the mover of this cut motion. He gave the example of the Sutlej Valley Project and

said that the consumers of water there pay for water higher rates than are charged from those who get their water from other canals. He also concluded by saying that this money, Rs. 6,85,000 should be taken from those who are going to use this electricity. I assure him that it will be taken only from those people who consume the energy. But before we are in a position to take that money from them, we must give them current. If we do not give them current, we have no right to ask them to pay. It is in order to take this current to them that we ask this Council to vote this amount of Rs. 6,85,000 so that we may be able to ask them to pay us not Rs. 6,85,000 but ultimately Rs. 61 lakhs. The House may probably remember that the estimate by the enquiry committee of the gross revenue from this project is Rs. 61 lakhs. That revenue is not going to come from the Sutlej Valley Project nor from people who are using water from other canals. It is going to come only from those people who use electricity. Supposing you build a railway and you say that the money should come from the people who use the railway. How can that be done unless you start the railway? After you start running trains people who use them will pay for them. (*Interruption.*) There will be no deficit. The original estimate was 12 years, but I am glad to tell the House that our experts are very hopeful that within four or five years the whole load will be taken up and that the income of 61 lakhs which was expected to accrue in 12 years would accrue within five or six years. This is something which is cheering. I believe that in view of what I have submitted there will be no difficulty in understanding the real position. I am sure my honourable friend would not have asked those people who are using water from the canals to pay for it even before starting the canal and before water was actually supplied to them. All that I am now asking is help to take this juice of electricity to the people so that we may be in a position to ask them to pay for it. It is only to enable Government to take the electricity to the consumer that this demand is made and nothing else. I am sure my honourable friend the mover of this cut would now be satisfied that so far as the working expenses of this scheme are concerned they are not going to fall even to the extent of a penny on those who do not utilise this current. In view of this assurance I hope my honourable friend will withdraw his motion. (*Cheers.*)

Khan Bahadur Mian Ahmad Yar Khan Daultana (Muhammadan, Landholders): Sir, there have been only two speeches made against my motion. As far as the speech of the Honourable Minister is concerned, I am sorry that with my poor ability I have not been able to find hidden grains of meaning in the bundle of chaff of words. I am sorry the Honourable Minister has taken exception to the explanation that I gave when I stood up to move this cut. I thought that it was my duty to explain the reason why I, a staunch follower of the party whose illustrious leader had taken the sanction of this House for the project, had decided to move this cut. Unfortunately my convictions do not give way and my policy in life is not—

مےشوق ما بشیرتے هرکس فرا است — با ما شراب خورد و بزمه نماز کرد

"My friend is up to the creed of all

He drinks wine with me and offers prayer with the priest.

[K. B. Mian Ahmad Yar Khan Daultana.]

Those people who do not adopt this policy may not be able to appreciate the reasons why I had to explain my point.

I have very little to say except to make one or two observations. Mr. Astbury said that there have been huge projects in other countries of the world and this Mandi project as compared with them was only a cat to the elephant. That may be so. But unfortunately, the wealth of my province as compared with the wealth of other countries, the responsibilities of the legislatures here as compared with the responsibilities of the legislatures there are not even as a cat to an elephant. The power of our Ministers in this province who are supposed to run the schemes or to administer them as compared with the power and ability of Ministers of other countries is not even a rat as compared with the elephant. Ministers as far as this province is concerned are only hostages with the Government against the misconduct of the parties, they are as securities against the undesirable attitude of a particular section against the Government. What we saw during the last two or three days is quite sufficient to explain my point.

The Honourable Dr. Gokul Chand Narang : May I know what part of the argument the honourable member is replying to ?

Khan Bahadur Mian Ahmad Yar Khan Daultana : Mr. Astbury said that in other countries they had large schemes compared to which our Mandi scheme was like a cat to an elephant. I wanted to explain the difference in the conditions of this province and of the other countries. Mr. Astbury compared this project with the irrigation projects of this province. As we all know the revenues of this province, about 98 per cent. of them come from the zamindars and, therefore, all these irrigation works are protective projects. But it cannot be equally said that the Mandi scheme is a protective project. The irrigation projects bring a lot of areas under colonisation. Now, let us see the benefit that this scheme will give to this province. This scheme is mainly going to benefit those areas which already have got electricity and not at cheaper rates I am afraid. (*Hear, hear.*) If I was sure that the Government will be able to supply electricity to the people even of the urban areas at a cheaper rate I would not have minded this loss of money. (*An Honourable Member :* It will be only $4\frac{1}{2}$ annas as against the present rate of 6 annas.) It may be just like the estimates of the project which went up from the original figure of $8\frac{1}{2}$ crores to $6\frac{1}{2}$ crores. We have lost a great deal in the estimates especially under our so-called responsible Ministers. They give us an attractive estimate to entrap us and after we sanction a scheme the estimates are often doubled. Formerly the secretaries were responsible for their actions, but now somebody else is responsible for their actions. They do the thing and the Ministers take the responsibility. Unfortunately our Ministers do not echo their master's voice, but their secretaries' voice.

The Honourable Minister has said that the scheme would be self-supporting after three or four years. If there is an assurance that the Government is not going to pay for the maintenance of the project after three or four years that would be some consolation to us. But we are told that we shall be saddled with a permanent huge working expense and that this scheme will always keep the province in a state of financial

insolvency. (*Interruption.*) My friend Mr. Nanak Chand Pandit, is now unable to speak in this House and so puts questions to me to enquire how we gave sanction to the scheme. Let me tell him that he cannot put questions. (*An Honourable Member: Why not?*) I understand that honourable members cannot put questions. They cannot speak.

I explained yesterday the reason why I moved this cut. When our leader got the sanction of this House for this project we thought that it must be for the interests of the zamindars. We have absolutely blind faith in him but as far as the present Minister is concerned the case is absolutely reverse.

The Honourable Dr. Gokul Chand Narang: You never thought.

Khan Bahadur Mian Ahmad Yar Khan Daultana: We were sure that the honourable leader of my party by spending the money of the zamindars will give a lot of benefit to the zamindars in return.

Mr. Nanak Chand Pandit: And you always wanted him to be there.

Khan Bahadur Mian Ahmad Yar Khan Daultana: My friend says that we wanted him always to be there.

The Honourable Dr. Gokul Chand Narang: Do not take any notice of him.

Khan Bahadur Mian Ahmad Yar Khan Daultana: Everyone knows that as soon as the official block goes out all of us will see what happens (*Laughter.*) (*Voices from the Hindu Block: We know that.*) If the Ministers were really responsible to the House the state of affairs would have been quite different. As regards the speech of Mr. Astbury I have nothing to add except that myself and Mr. Owen Roberts would be quite content if the reply of Mr. Astbury was read along with the speech of Mr. Roberts and abide by the results. If people outside the Council were to read the two speeches side by side I would depend on their judgment. The Honourable Minister was surprised why I brought in the Sutlej Valley Project along with the Hydro-Electric Scheme. In this respect I have only a few words to say and that is this. Had it not been for this project lot of the loan of the Sutlej Valley Project would have been repaid and the condition of the finances of the Sutlej Valley Project would have been far better than it is to-day—

Mr. F. H. Puckle: Why?

Khan Bahadur Mian Ahmad Yar Khan Daultana: The money that was raised from extraordinary receipts by the sale of lands in the Nili Bar ought to have gone back to that project and not utilized by this white elephant.

Mr. F. H. Puckle: Not a penny of the extraordinary receipts has been used by the Hydro-Electric Scheme.

Khan Bahadur Mian Ahmad Yar Khan Daultana: As I explained yesterday the reason for moving this cut was that the zamindars of this House have got serious apprehensions that this scheme if carried on in the way as it is being carried on at present will result in the permanent insolvency of this province and that is a thing which every true friend of this province should try to avoid. Some people go so far and say that those people who are interested in the welfare of this country and are not interested in the welfare of this unfortunate province will always help a scheme that

[K. B. Mian Ahmad Yar Khan Daultana.]

would result in the permanent insolvency of this province. If you read the wording of my motion you will notice that I did not insert therein the words 'condemn or urge.' The words are 'to discuss this scheme.' We have always been giving money to Government and have always trusted them. When we have given them crores of rupees I would not grudge them another rupee. My idea was not to press this out otherwise I know that it would have been very difficult for any non-official member to vote against that out and we would have carried it. But in order to avoid placing Government in an uncomfortable position I do not want to press this motion. (*Cheers.*)

The Honourable Dr. Gokul Chand Narang : The tariffs are placed on the table for any honourable member to study¹.

The motion was by leave withdrawn.

Mr. President : Question is—

That a sum not exceeding Rs. 6,85,400 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 1934 in respect of Hydro-Electric Scheme—Working Expenses.

The motion was carried.

BUILDINGS AND ROADS BRANCH—ESTABLISHMENT CHARGES.

The Honourable Sardar Sir Jogendra Singh : Sir, I beg to move—

That a sum not exceeding Rs. 14,26,000 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 1934 in respect of Buildings and Roads Branch—Establishment Charges.

Mr. President : Motion is—

That a sum not exceeding Rs. 14,26,000 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 March 1934 in respect of Buildings and Roads Branch—Establishment Charges.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural),
(Urdu); Sir, I beg to move—

That the grant be reduced by Rs. 39,800 with respect to the item of Rs. 39,800, total A (2) Superintending Architect and his establishment.

Sir, I was really very much surprised to see this item in the budget. I thought that as there was no further programme of building in hand, the services of the Superintending Architect would no longer be required. His retention during the last year might have been due to the fact that Government required his services in connection with the property purchased by them last year or in connection with the clerks' residential quarters which were still under construction. But now that these works have been completed and there is no further programme of building before us I can see no justification for his retention.

The Honourable Sardar Sir Jogendra Singh : New Council Chamber is yet to be built.

Khan Bahadur Sardar Habib Ullah : I would invite the attention of the House to page 406 of the Budget Estimates where appears an item of Rs. 39,800. This item includes another item of Rs. 25,800, the pay of

¹ Kept in the Library.

an officer. It means that the officer draws a salary exceeding two thousand rupees a month. There is yet another item of Rs. 35,460 which represents the pay of 14 draftsmen.

Mr. President : Are these amounts included in the item which the honourable member wishes to be reduced ?

Khan Bahadur Sardar Habib Ullah : I am speaking about the item of Rs. 39,800 on page 406. My motion relates to only voted items. It would now be clear to the House that this province has to bear an expenditure of about Rs. 65,000 on account of this officer and his establishment. I would respectfully ask the Honourable Minister for Agriculture to let the House know what this province is getting in return for this expenditure of Rs. 65,000. We do not want to know the qualifications of the officer. He must be a qualified man. But we would like to know whether the work which he performs justifies the expenditure incurred on account of him and his establishment. I being a layman cannot say whether the value of the services of this officer is commensurate with the pay he draws. I do not think that there are any buildings still under construction. But if there are some buildings still under construction, would it not be advisable to make some temporary arrangement for designing these buildings ? There are some officers of the Public Works Department who can prepare plans and give you assistance in designing buildings. Would it not be desirable to obtain their assistance ? I think the Government can obtain expert advice on payment of 1 per cent. commission. At this rate you can obtain competent advice on payment of Rs. 65,000 with regard to buildings worth 65 lakhs of rupees. During the last five years you have spent Rs. 3,25,000 on this staff and in return for this amount you could have obtained expert advice with regard to buildings the value of which I am at present unable to calculate and which must exceed 65 lakhs. It is possible, as the Honourable Minister for Agriculture has pointed out, that Government contemplates erecting a new building, that is, the new Council Chamber this year, but as it appears from the budget that building is not to cost more than Rs. 39,000 or at the most one lakh and to spend Rs. 65,000 on the salary of the Superintending Architect and his establishment for a building worth one lakh will not be a wise policy. For designing this building we can have the services of some private consulting architect at a much cheaper rate and I therefore hope that the Council will not vote for this amount of Rs. 65,000 for retaining the services of the Superintending Architect and his establishment.

Mr. President : Motion is—

That the grant be reduced by Rs. 39,800 with respect to the item of Rs. 39,800, total A (2)—Superintending Architect and his establishment.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): I just want to explain the position regarding the Consulting Architect. The honourable mover seemed to imply that we were spending Rs. 62,000 on the Consulting Architect without any adequate return. I believe he was a member of the Retrenchment Committee and the Retrenchment Committee in paragraph 152 mentioned the amount that was spent on various buildings from 1921 to 1931 which comes to nearly 4½ crores. He further said that we have officers in the Buildings and Roads branch who could design new buildings that we may require ; he argued

[The Hon. Sardar Sir Jogendra Singh.]

that the appointment therefore was superfluous and the services of the Architect should be dispensed with. He further said that so far as the Council Chamber was concerned the sanction for the next year amounted only to a lakh of rupees and it would be unwise to spend Rs. 62,000 in maintaining the Consulting Architect to design this building. He would be quite justified in his criticism, if this one lakh was the only amount that was going to be spent on the Council Chamber. He knows that the Council Chamber is going to cost nearly ten lakhs and if he were to take competent opinion, he will find that no private architect will charge less than 5 per cent. for designing any building of such an importance. That is the lowest rate sanctioned by the Society of Architects. As long as the province is spending ten lakhs a year in new buildings it is saving by employing a permanent Consulting Architect. One of the buildings which was completed within the last two years is the new Hospital which cost ten lakhs and which Her Excellency Lady Willingdon is going to open in a day or two. And if the honourable member would care to look at the list of the buildings that have been completed—I can place the list before him—he will then be convinced that we have got from our Consulting Architect more than full value. He has designed the buildings for us which if we had gone to a private architect would have cost us much more. Then there is another fact, which I wish to bring to the notice of the honourable members, that the Consulting Architect has a definite contract with the Punjab Government, and when the Retrenchment Committee made its recommendation the question was carefully examined by Government as a whole and it was discovered, that it will cost the province more to dispense with his services than to retain him. It was then decided that it was more to our advantage to retain his services till this Council Chamber was completed and his contract is over. It will then be time for the Council to decide whether for the future we required a Consulting Architect or not. At the present moment we have got this very important building, the Council Chamber in hand, and I have asked the Secretary to address you, Sir, to appoint a committee to assist the Consulting Architect to design this building so that it may be what all the members of this House desire it to be——

Khan Bahadur Sardar Habib Ullah : When does his contract end ?

The Honourable Sardar Sir Jogendra Singh : I think the contract ends in about two years and it will take about two or three years to complete the Council Chamber. I am, therefore, quite sure, that the members will agree, that it is more to our advantage to retain the services of the Architect than to dispense with them. He will complete the building which the representatives of the people will use and it should be in keeping with the dignity of this province.

Pir Akbar Ali : To spend liberally and unnecessarily should be our duty.

The Honourable Sardar Sir Jogendra Singh : Pir Akbar Ali whose words of wisdom are always enlightening says that the money spent will be unnecessary. He will be quite satisfied if the Council is held under open skies, but I am quite sure that the representatives of the people will require a chamber, which can maintain the dignity of the province. Taking

these matters into consideration I hope the mover of the resolution will not press his cut. I can assure him that it would save nothing to the province to dispense with the services of the Consulting Architect. He can also satisfy himself whether there is another way of getting the designs of the Council Chamber and its building completed.

Rao Bahadur Chaudhri Chhotu Ram (South-East, Rohtak, Non-Muhammadan, Rural): Sir, the motion of which notice was given by the honourable member from rural Lahore has not been taken quite seriously by the Honourable Minister for Agriculture. He seems to have assumed that there is grave necessity for this post and the establishment which goes along with the office of the Superintending Architect. But the only ground on which he has made this assumption is that there was a building to be designed, i.e., the Council Chamber which is expected to cost ten lakhs, and that during the last three years another very costly building had been constructed which again cost ten lakhs.

The Honourable Sardar Sir Jogendra Singh: I only mentioned one and I said that I can lay a statement on the table showing the buildings that have been constructed during the last ten years.

Rao Bahadur Chaudhri Chhotu Ram: My contention is that so far as the next year is concerned we are not going to spend more than Rs. 39,000.

The Honourable Sir Henry Craik: No, no.

Rao Bahadur Chaudhri Chhotu Ram: I do not think that the Superintending Architect will be required for these two or three years for preparing the designs of a single building, however big and expensive. In the same way I contend that the designing of the hospital which cost the province ten lakhs could not possibly have taken more than a few months in any case. Therefore the erection of a costly building once in three or four years cannot possibly be quoted as a justification—

The Honourable Sardar Sir Jogendra Singh: I should like to say that the buildings designed and constructed by the Architect during the last ten years have cost the province ten lakhs.

Rao Bahadur Chaudhri Chhotu Ram: But that amount covers a period of ten years which were years of plenty and prosperity and feverish activity. We are now in the midst of a great financial stringency and nobody is so sanguine as to expect that the building programme of the province will come up to anything like the level of those ten years. Therefore so far as this post is concerned, it seems to be redundant and entirely superfluous. The Honourable Minister for Agriculture has also stated that the Retrenchment Committee made a recommendation that this post should be abolished. But somebody made a wonderful discovery that the retention of this officer and his establishment would be really less expensive than their abolition. So far as the representatives of this Council and also the official-members on the Retrenchment Committee are concerned, their recommendations are there and it would be interesting to know who is responsible for making the discovery that the retention of this post will prove less expensive than its abolition. Probably it was either the Minister himself or his Chief Engineer who are naturally interested in their own officers. I realise that there is nothing unnatural in this. If I had been in his place

[R. B. Chaudhri Chhotu Ram.]

probably I would have done the same thing. But after all it is the plain duty of the elected representatives of the people to press for all possible economy that can be effected either by reducing general expenditure or by reducing any establishment which is considered by the House as unnecessary. With regard to the cost of getting designs prepared by private engineers I beg to submit that this rate of 5 per cent. is much too high. If Government work and private work of big concerns were to be entrusted to private agency, I think a large number of consulting architects will set up their business and as soon as there is any competition between various business houses, this rate is bound to come down. I am not prepared to accept the proposition that this rate of 5 per cent. for designing is a reasonable rate. With the cost of the building for which these rates are to be charged, they are bound to vary. It is impossible to conceive that if a Consulting Architect were asked to prepare a design for a house which will cost about Rs. 50,000 he would charge the same rates as for a house which will cost 5 or ten lakhs. After all ordinary business considerations will induce him to lower his rates as the price of the house rises. Therefore the proposition that was put forward by the honourable mover of this cut was perfectly sound and ought to have been accepted by the Honourable Minister for Agriculture, at least, in principle.

The Honourable Sardar Sir Jogendra Singh : I have in a way accepted the principle.

Rao Bahadur Chaudhri Chhotu Ram : This suggestion was perfectly sound and reasonable. For a work of this character it is best for the Government to go to a private agency rather than to have a staff of permanent officers. So far as the other question—the remaining two or three years of the period of contract—is concerned it is rather difficult to get out of it. If the Government is under a contract as regards period of service that contract must be fulfilled unless Government can under the terms of that contract find a way out. There may be some condition in the contract enabling the Government to discharge this officer with a notice of three months or six months. If there is no such condition then of course the Government must observe the terms of the contract. With these remarks I support the principle underlying the cut and if the Honourable Minister gives some sort of an assurance that in future this principle would receive full consideration the honourable mover will probably withdraw his motion.

The Honourable Sardar Sir Jogendra Singh : I only wish to say that I cannot bind my successor. I can assure the honourable member that the contract of this official will expire in two and a half years and if it is not desired to renew the contract the future Government will have to decide, what agency they wish to employ to carry out this kind of work.

The Honourable Sir Henry Craik : I should like to make it clear for the benefit of my honourable friend the leader of the Unionist Party that his assumption that the retention of this officer was pressed by the Honourable Minister and his Secretary is not correct. I am not in charge of this department and I have not got the figures at my fingers' ends, but I do remember that when we examined this particular recommendation of the Retrenchment Committee, it was examined by Government as a whole

and I for one was all in favour of carrying out the recommendation of the Retrenchment Committee's report and getting rid of this officer who I agree is a superfluity. But when we got down to facts and figures and had the officer's contract before us, together with a statement of his case which he laid before us, we found that it would in fact have been literally and absolutely more expensive to get rid of him than to keep him till his contract expired. There was no condition in the contract so far as I remember enabling us to get rid of him. We are bound to go on paying him his full salary till the term of the contract expired. And in those circumstances I was reluctantly driven to the conclusion which was accepted by Government as a whole that it would be wholly wrong to make a breach of the contract and pay him the very substantial sum as compensation which we would under law be liable to do. In those circumstances it is clear that as we have to retain him we may as well make use of his services.

There is one other point which the honourable member raised in his speech and that is the fees charged by architects. There again I do not know what the exact percentage is—it is not my business to know it—but I do know this that all architects who are members of the Institute of British Architects bind themselves not to work below a particular scale of fees which is laid down in the articles of that Association. And to the best of my recollection 5 per cent. is the basic rate and I am told that it goes as high as 10 per cent. in some cases. It is certainly clear that if Government has a considerable building programme to carry out it is more expensive to employ private architects than to keep an architect of our own. And any how as we have to keep this officer we may as well employ him.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural), (Urdu): Sir, it appears that I have been misunderstood. I did not mean to say that even if the Government had entered into a contract with the Superintending Architect his post should be abolished forthwith and that he should be paid his compensation in a lump sum. To do so will be a sheer waste of money. Why not retain him and take some work from him if he is to be paid for a fixed term? What I would like the Government to do is that when the contract expires they should thoroughly examine the whole position and with its building programme before it, it should see whether it will be profitable to retain a permanent Superintending Architect and his establishment or to make use of some private agency. So far as I think, much of the public money can be saved if the work of designing and planning Government buildings is entrusted to some private consulting architect because in my opinion, it is too much to spend Rs. 65,000 annually for this purpose. A glance at page 406 of the budget will show that the Government has employed as many as 14 draftsmen for whom it is spending as much as Rs. 85,460 annually. Admitting that the Superintending Architect is very much needed and he is an expert in a certain line, why should this army of draftsmen and other assistants be allowed to remain particularly when our financial position is so weak? I do not think that the Government has entered into contract with them also and if my surmise is correct I would request the Government to do away with them. I am sure that police stations, school buildings and similar other small works in the muffasils are not designed or planned by the Superintending Architect and his staff. They are most probably designed and constructed under the supervision

[K. B. Sardar Habib Ullah.]

of the local officers and if that is so, and if our Superintending Architect has to look to the construction of buildings at Lahore alone I do not think he requires so much staff to help him. As my friend has just reminded me plans of small works are already standardised and for these the Superintending Architect and his staff have not to worry much. Therefore most of the members of his staff can be easily and safely reduced. As I have explained before my object in moving this cut is to request the Government to examine this proposition in the light of the remarks I have made and as the Honourable Minister has promised to do so I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Mr. President : Question is—

That a sum not exceeding Rs. 14,26,000 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 1934 in respect of Buildings and Roads Branch—Establishment Charges.

The motion was carried.

CIVIL WORKS (TRANSFERRED).

The Honourable Sardar Sir Jogendra Singh : I move—

That a sum not exceeding Rs. 73,17,400 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 1934 in respect of Civil Works (Transferred).

Mr. President : Demand moved—

That a sum not exceeding Rs. 73,17,400 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 1934 in respect of Civil Works (Transferred).

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) : I beg to move—

The Honourable Sir Henry Craik : On a point of order. The item to which the honourable member's cut refers does not, as a matter of fact, appear in the budget at all. I am afraid there has been a mistake about this. Though the item appears in the Schedule of New Expenditure, by a mistake which I very much regret it was not actually entered in the budget. The House is not therefore, being asked at present to vote that item. I propose to present a supplementary demand for that item of Rs. 32,000 early in the next financial year when the honourable member will have an opportunity of giving the House his views upon it. At present I think the cut is out of order because the item does not actually appear in the budget.

Khan Bahadur Mian Muhammad Hayat Qureshi : I do not then move it. I shall move my next amendment.

(Urdu) : Sir, I beg to move—

That the total grant be reduced by Rs. 7,00,000.

In moving this cut I am guided by the same considerations and the same principle which I have explained before at length in another connection. If you will please look at page 395 of the budget you will find that

Rs. 73,17,400 have been provided for civil works although I am sure that these works can be carried out by a smaller provision. I cannot help saying that in carrying out these works excessive rates are allowed to the contractors—

Mr. President : This matter has been discussed more than once. So, I cannot allow a repetition of its discussion.

Khan Bahadur Mian Muhammad Hayat Qureshi : Very well, Sir, I shall not repeat those arguments here again. But I hope that I shall be permitted to say that this year which is not financially in any way better than the previous years, a provision of Rs. 61,35,200 has been made for repairs while last year Rs. 56,23,600 were provided under this head. I wonder why as many as 5 lakhs more have been provided this year for the purpose although there has been no improvement in the financial position of the province. In the interests of national economy so far as stationery is concerned, it is required that each envelope should be used as many times as it may be possible

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to use it. But all interests of national economy are overlooked so far as the expenditure on repairs is concerned. If a department asks for Rs. 2,000 under the head contingencies the Finance Department insists that that department should content itself with only Rs. 1,500. Similarly if the Finance Department takes interest in economising the expenditure on repairs it can very well cut it down by six or seven lakhs. Sir, in different departments of the Government particular periods are fixed for the repairs of individual roads and buildings. After the expiry of this period the repairs are undertaken without seeing whether those roads or buildings actually require to be repaired. The Honourable Minister for Agriculture said that he would see what he can do in this respect. I request him that he should be serious about it and try his level best to reduce the expenditure so far as his department is concerned. Sometimes the subordinate officers after mentioning different sorts of details make out a case for the necessity of spending for a particular work. I request the Honourable Minister to be decisive about reducing the expenditure and not to be led away by what the subordinates usually say in such matters.

Then, Sir, in view of the disparity which exists between the rates of different Government departments and for the existence of which Government have given no plausible reason, I request the Honourable the Finance Member to accept my cut and if he is not prepared to accept it then I would like to request the House that it should support this cut so that some economy may be effected. Sir, to reduce this demand by seven lakhs is not very difficult. The Government can very easily do it. I hope the Government will not overlook my request. With these few words I resume my seat.

Mr. President : The motion is—

That the total grant be reduced by Rs. 7,00,000.

Rao Bahadur Chaudhri Chhotu Ram : (South-East Rohtak, Non-Muhammadan, Rural) : Sir, I lend my whole-hearted support to the motion which has been moved by Mian Muhammad Hayat Qureshi, and I should like to make an earnest request to the Minister for Agriculture that he should not take the matter lightly. Just as Qureshiji has remarked, it does not really result in anything practical that a Minister should get up and say,

[R. B. Chaudhri Chhotu Ram.]

I will try my best and see that something less than what has been provided for in the budget is spent. Unless the Minister or Member in charge of the department has the courage to direct his officers to do a particular thing by a plain "you have just got to do it," I know officers will not fulfil the desires which have been expressed either by the House or in answer to motions moved in the House, by the Member or Minister in charge. There is absolutely no doubt on the point that the rates which are being allowed in the Public Works Department are higher than the market rates.

Mr. President : This matter was discussed over and over again both yesterday and to-day.

Rao Bahadur Chaudhri Chhotu Ram : Does it mean that I should not make any reference to it?

Mr. President : Arguments should not be repeated. That is all.

Rao Bahadur Chaudhri Chhotu Ram : In a way if I heard the honourable mover of this cut correctly, he said that no reasonable answer had been made to his criticism by any member representing the Government which meant that his suggestion that rates which are being allowed by the Public Works Department are considerably higher than the ordinary market rates, has not been effectively answered by anybody and if that is so, it is incumbent on the Treasury Benches to make a reply. Either they should say that the rates are not higher than the ordinary market rates, or if there is any doubt on the point or if they admit that their rates are higher than the ordinary rates then they should come forward gracefully and say they are going to reduce those rates. After all in these hard times when even Government servants have had to be subjected to a cut of 10 per cent. in their salaries, there is no reason why a similar cut should not be made in the rates that are prevailing. If I remember correctly, Mian Muhammad Hayat Qureshi told this House that in Sargodha there are different rates being allowed by the District Board, the Public Works Department and different rates by the Canal Department and different rates by the Railway Department. On this point I should like to accept the statement made by Qureshiji. As Vice-Chairman of the District Board he knows all that happens in the district board and as a local gentleman of influence and wide acquaintance he can be expected to know a good deal of the activities of other departments as well. So we can safely accept what he says with regard to the rates that have been fixed by the Public Works Department, Irrigation Department, and by the Public Works Department, Buildings and Roads Branch. There is no reason why we should not accept his statement on a point of fact. After all he makes this statement on the strength of his personal knowledge and if that statement is correct as I contend it is correct, there is no reason why—

The Honourable Sardar Sir Jogendra Singh : You have already ruled, Sir, that this discussion is irrelevant. The honourable gentleman was not here when this discussion took place and he did not hear the reply, in the course of which it was stated that the rates have been substantially lowered and that further steps will be taken to revise the rates. I submit that the honourable member is not in order in continuing this discussion.

Rao Bahadur Chaudhri Chhotu Ram : I do not know whether Qureshiji had made any reference to the fact that tenderers are always able to quote lower terms than those—

Mr. President : He did and so did several other gentlemen.

Rao Bahadur Chaudhri Chhotu Ram : In view of the fact that this year is a year of even worse prospects agriculturally than the last year was, I beg to submit that the rates must have fallen still lower. After all in the Hissar district men are working at five pice a day and women are working at four pice a day.

Mr. President : I would request the honourable member not to repeat his arguments.

Rao Bahadur Chaudhri Chhotu Ram : Very well, Sir, then the only other remark I have to make is that the Minister ought to insist that 10 per cent. reduction should be made on the same analogy as district officers are asked to restrict their travelling allowance within a certain compass. The Minister ought to tell them that they must complete their works at 10 per cent. less than the budget provides for.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : Sir, if you look at page 395 of the budget, you will see that under this head almost every item of expenditure for this year has been increased in comparison with the expenditure on the same items during last year. (*A voice: question.*) There was for General Administration Rs. 28,900 last year and this year it is Rs. 39,640. Administration of Justice was last year Rs. 14,000, and this year it is Rs. 25,550. Similarly, Sir, if I go on reading out the items you will find that the figures for the present year are almost double or $1\frac{1}{2}$ times the figures for the last year. May I ask the Finance Department whether it is the surplus of 43 lakhs that has induced it to put down the expenditure this year at this extravagant figure? As we submitted during the general discussion of the budget, this is a deficit budget, and there is absolutely no reason for the Government to fly at such a high speed over the expenditure of last year. Therefore the amendment which has been moved by the honourable member is quite a reasonable one in view of the facts and figures and if really Government is anxious to curtail the expenses it can very well do it. Even for repairs, if you look at the accounts of 1931-32, the figures are Rs. 53,65,000 and the expenses for that year were only 56 lakhs. That shows that that is the normal amount of expenditure every year. From that one is quite justified in deducing that that is about the right figure. So I would request the Finance Member to be economical this year as he has been in the last year. I do not think that any Government buildings have fallen down for want of extravagant repairs, so the Finance Member should not spend extravagantly, and I would request him to economise. Here is a capital opportunity for doing it and perhaps there is no other demand in which curtailment of expenditure can be made so effectively under this head because it is comprised of buildings of almost all the departments and by reducing the expenditure by 10 per cent. under this head a very substantial saving can be effected. It is very easy to economise expenditure by ten per cent. If the expenses are allowed to remain just on the same level as during the last year, a saving can be effected. Why should the idea of a surplus of 43 lakhs give

[Chaudhri Allah Dad Khan.]

to the Government an enthusiasm for spending so extravagantly on those buildings? Of course the departments are going on just as well as before. If there is any great necessity for this expenditure, let each member in charge of the departments concerned justify the expenditure by giving details which will be convincing to this House. Then, only can I persuade the honourable member to withdraw his amendment, but not before that. The mere fact that we did not spend last year nor even in the year before last does not justify a good deal of expenditure this year. That cannot be an argument and I cannot accept it. Even when the Government of India has effected a good deal of economy in the matter of buildings and other things, I do not see why the local Government too should not effect similar economies. So many amendments have been moved in this Council and not a single one of them has been accepted by the treasury benches. I hope in the present case at least the Government would accept this cut, because as I have fully explained there is scope for curtailing the expenditure under this head. With these words I support the motion.

Khan Bahadur Malik Muhammad Amin Khan (Attock, Muhammadan Rural) (*Urdu*): Sir, I rise to support the motion now before the House. If you look at page 395 of the budget you will find that in the year 1931-32 this expenditure was 58 lakhs but now it has been increased to 61 lakhs. In other words 8 lakhs have been increased. I fail to understand why so much expenditure is being incurred only on repairs. I request the Government to effect as much reduction in this expenditure as possible.

The Honourable Sir Henry Craik (Finance Member): Sir, if the honourable member will look at the items at page 395 of the budget he would see that on original works there is a very big decline. The revised estimate for original works last year was Rs. 9,95,000. This year it is Rs. 8,64,000. So, on that head there is a considerable reduction of expenditure. The increase in expenditure comes under the head repairs, which has risen from 56½ lakhs to 61½ lakhs. Now, it may interest the House to know that the total amount spent on this head, 41—Civil Works, Transferred, has been as follows:—

Year.	Rs.
1928-29	2,14,00,000
1929-30	1,67,00,000
1930-31	1,34,00,000
1931-32	98,94,000
1932-33	87,35,000

For the next year the figure has gone up by about 3½ lakhs to 91,92,000. The reason for that is that for two years we have kept the amount spent on repairs of Government buildings very much below what is necessary to keep them in an efficient state of repairs. That process cannot go on indefinitely. If you leave a building in bad repair for more than a certain time, it will either collapse or if it does not collapse, you will have to spend a very much larger amount on its repairs than if you carried out your annual repairs properly. The honourable member from Ambala said that he did not see any Government building falling down. As a matter of fact, I have heard of a good many cases of buildings collapsing. I know a great many cases where Government buildings are in a very serious danger of collapse or have deteriorat-

ed to such an extent that they are hardly fit for the purpose for which they are intended. Now, that is a process which cannot go on indefinitely. The capital value of the Government buildings is somewhere about 8 crores and it will be mere folly to go on every year in succession refusing to find funds for keeping these buildings in proper repairs. I submit that this is entirely an adequate, correct and proper explanation of the increase in the grant this year.

Khan Bahadur Mian Muhammad Hayat Qureshi : May I know whether this one crore is expenditure on repairs only or whether it includes expenditure on new works also ?

The Honourable Sir Henry Craik : I was giving figures under the whole demand. I do not think I have got figures for repairs separately, but I can give figures for repairs for the last three years only. For the past two years the figures have been 55 or 56 lakhs or thereabouts while the usual normal figure is probably at least 75 lakhs.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : There are just one or two points to which I wish to refer. The Honourable Finance Member has really given the crux of the case. These buildings were not repaired for the last two years and it is necessary to repair them now. The other matter I wanted to mention was that in the matter of roads, the average cost of renewal with stone metal was about Rs. 6,800 a mile whereas, the cost of renewal now after tarring the roads is Rs. 2,200 a mile. Thus the work that the department has been carrying on by way of tarring the roads is reducing the repairing cost of the roads substantially. We have now completed tarring nearly 453 miles of roads and their cost of repairs is decreasing. The road mileage in 1928 was 2,043 miles and now it is 2,699 miles; and yet the repairing cost has not increased. Taking these facts into consideration I am sure the House will vote for the grant. The committee I mentioned yesterday will revise the rates in every district and the revised rates will further reduce expenditure. I believe the House as the custodian of the property of the province will not vote against the proposal and thus allow our property to deteriorate. No one pursues economies with greater persistence than the Honourable Finance Member and the House may depend that the finances of the province are in the safe keeping of our Finance Member.

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (Urdu) : Sir, the Honourable the Finance Member has said in his speech that in the year 1928-29 they had spent 2 crores while this year they have spent only one crore. The question which I put while he was making his speech was to clear up the point whether these one crore of rupees included expenditure on some original works as well. His answer showed that expenditure on original works was not included in this sum. In these days of financial stringency it is necessary that economy should be effected. If in the year mentioned by the honourable member Government spent so much money it was because that year was one of those years in which the Government's income was more than normal. Now we have only to undertake repairs. If all the Government officers give their serious attention to the necessity of effecting economy in this expenditure I think to save six or seven lakhs is not difficult. In the hope that they will do their best to reduce these expenses I beg leave to withdraw the motion.

The Motion was by leave withdrawn.

Mr. President : The question is—

That a sum not exceeding Rs. 73,17,400 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 1934 in respect of Civil Works (Transferred).

The motion was carried.

CIVIL WORKS (RESERVED).

The Honourable Sir Henry Craik : I move—

That a sum not exceeding Rs. 77,400 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 1934 in respect of Civil Works (Reserved).

The motion was carried.

SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS (TRANSFERRED).

The Honourable Sardar Sir Jogendra Singh : Sir, I move—

That a sum not exceeding Rs. 17,96,500 be granted to the Punjab Government (Ministries of Education, Agriculture and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1934 in respect of Scientific and Miscellaneous Departments and Miscellaneous (Reserved).

Mr. President : Motion is—

That a sum not exceeding Rs. 17,96,500 be granted to the Punjab Government (Ministries of Education, Agriculture and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1934 in respect of Scientific and Miscellaneous Departments and Miscellaneous (Reserved).

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

That the grant be reduced by Rs. 1 with respect to the item of Rs. 1,900, Total—Joint Development Board.

My object in moving this cut is to bring to the notice of the Government and this House that for a useful institution like the Joint Development Board with which both the Ministers are connected, they have been unable to secure the required money. Most of the members of this House who know about the working of this Board know what useful work it has been doing. Not only in one line but in so many lines the Board has done such a good spade work that if that work is left at that stage, it will be a great loss to the province. I also want to draw the attention of the Government to this policy of starting a particular work and then leaving it undone after some time. If you want to start a research work, whether in the line of agriculture or industry or in any other line, either do it well or not begin it at all. What we find in this province is that many good schemes are started, some research work done a great deal of enthusiasm is shown and after some time on account of some reason or other, mostly on account of want of funds, they are left unfinished. I am sorry to say that our Ministers have been very meek in asking for funds from the Finance Department. It is a misfortune for this province that we have many things undeveloped which ought to have been developed by this time. I remember well how the Minister for Agriculture was enthusiastic about this Board in the beginning. He used

to convene many meetings attended by experts from all over the province. But after a few years of good work we now find that the whole work already done has been absolutely spoiled. If I had my own way and if the members of this House will support me and will not consider it a communal question, I would appeal to all members, Hindus, Sikhs, and also Muhammadans, whether urban or rural, to condemn the ministers for not being able to get money for their needs. Whenever there is anything to be done for the development of any industry or research which will be useful to the province, our ministers have been unable to get any money from the Finance Department. This itself is a condemnation on them. With these words, I move the motion.

Mr. President : Motion is—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 1,900, Total—Joint Development Board.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, Non-Muhammadan, Rural): Though I cannot claim to be sufficiently well acquainted with the very useful work that has been done by the Joint Development Board, I am certainly at one with the honourable member who has moved the motion. We know that the province is in the grip of acute financial stringency. We know that no class of the population of the province is in a prosperous condition just at present. But I also realise very clearly that your remissions, however extensive, the recommendations of the Committee on Indebtedness, however radical, are not going to help the province unless there is something done on the positive side as well. Unless the Government is able to promote the welfare and prosperity of this province in ways other than remissions and relief in indebtedness, prosperity will never return. After all the prosperity of the province will depend upon its capacity for increased production, both agricultural and industrial. Every possible attempt should be made by the Honourable Ministers in charge of Agriculture and Industries to work in collaboration with each other, the Honourable Minister for Agriculture trying his level best to increase agricultural produce and the Honourable Minister for Industries trying his level best to turn agricultural products into manufactured articles. Unless the Government is in a position to provide fresh means of occupation, lucrative work for the people, no prosperity can be expected within the next 10 or 15 years. Even the return of old rates of prices for agricultural produce will not be very helpful unless something more is done. After all agricultural conditions fluctuate and vary so greatly from year to year that it would not be advisable to depend entirely upon the present agricultural outturn or present agricultural methods alone. Something should be done to increase the productive capacity of our soil and also to introduce a system of subsidiary industries which will provide work of a lucrative character to the ordinary agriculturist and also to introduce as many cottage industries as the Honourable Minister for Industries can possibly think of.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban): If there is one thing for which Government needs support and for which we should wholeheartedly give support, it is the Joint Development Board. I think the Honourable Minister for Agriculture did me the honour once

[**Shaikh Muhammad Sadiq.**]

to say that to a certain extent this idea of Joint Development Board originated from me. I think I should take credit for it as it really started from me. But of course when the question of appointments to it came, the Minister forgot to put my name on it. He has valued my ideas and not my assistance. Later on I became a member by virtue of my being a member of Industries Standing Committee. (*An honourable member*: Your brother is there). Yes, and he must have done very useful work indeed. Now what was the idea behind this? The idea was to co-ordinate industry and agriculture together, so that we could improve both. We buy every year in the Punjab seven crores worth of cotton, woollen and silk goods. I am sure that if my honourable friend had had the courage to fight with the Government in the Executive Council he could have saved this hard earned money of Punjab and not allowed it to filter away to Japan or Manchester or the United States. We hear of Punjab gold being sold away. But what have we done? By selling away Punjab gold we have bought Japanese goods so that the Japanese may cut the throats of the Chinese and destroy their civilisation. This money is being utilised not for a good purpose but for killing the Chinese. If my friend who is always enthusiastic in starting a thing, had only the courage to fight, I am sure Government would have given him the necessary money to help the organisation of Industries. I think they must have spent at least Rs. 40,000 or Rs. 50,000 on travelling allowance in going up and down. The Board consisted of many great businessmen. They have given their valuable time to it and excellent schemes have been thought out which must be now in the dusty and musty corners of the Secretariat probably moth eaten by this time. In the Punjab if the Government would only help industries, we can beat Japan very easily. How is it that Japan exports to this country articles which with higher paid labour than ours is able to compete with the Punjab? In one district alone, Pathankot, nearly 5,000 people are out of work. Once they used to make rugs and shawls. Now we find shawls coming from France and rugs from Italy, not from pure wool from which Punjab was manufacturing but from all kinds of dirty rags and other things washed, cleaned and bleached. Similarly we can make cutlery and other things. Go to Wazirabad where they make cutlery or go to Shujhanpur where they can make beautiful blankets and beautiful rugs, and will find thousands of people out of work. We find rugs coming from other places and not from the Punjab. Instead of spending Rs. 20,000 on this bungalow, Rs. 50,000 on that bungalow and so on, there is no reason why we should not spend 2 or 3 lakhs to organise these industries in the Punjab.

Mr. E. Mayadas : How is your rug factory working?

Shaikh Muhammad Sadiq : Very bad, thanks to you, and men of your type. I wish my friend instead of grunting could have shown some sympathetic grin. The honourable member from Ferozepore should have some sympathy for his own people whose hard earned money is being put into his pocket every day. But none. These gentlemen have not much sympathy for us whenever we bring any reasonable propositions before this House. Now the factories in America, Germany and other countries may import their own motor cars to this country. But we cannot export our goods to that country because the German, French, American Govern-

ments and others put 200 per cent. duty on our goods. Should we people in the Punjab not tax their goods similarly? Why should we not bargain with them?

Why should we not say that unless they buy our blankets and rugs or other articles we will not buy their motor cars, etc.? Why should we pour money on Ford cars, Cheverolets and so on and their petrol and not get any return from them? Is this the right policy which the Government ought to adopt? What is the reply? The Imperial Government has probably made some agreement behind our back, the Honourable the Secretary of State being our conscience keeper and being in charge of our destinies, has made some treaty, with America or Japan or some other country by which we cannot put extra taxation on their goods. Are these people to be allowed to make treaties behind our back, without our permission and not in our interests? The Honourable Ministers—I know they are sincere—I do not want to condemn them. I am not going to use strong language. On the other hand I would like to sympathise with them because they are endowed with stout hearts. They are so much afraid. They have not the courage to put forward the interests of the Punjab which is in their hands. If they had courage it would not be difficult for them to ask the Government for 2 or 3 lakhs of rupees to spend for the organisation of the industries. Can we not establish here in the Punjab a rug industry, can we not have a cutlery industry and can we not have hundreds of small industries like scents and soaps? Any number of small industries can be started in the Punjab with a little encouragement. But what do we find? Whenever this question comes up they say it is impossible. One firm in Lahore asked the Government to give a licence for the manufacture of essences and some medicines. But Government refused saying that it comes under excise law and it would not relax the excise rules. That is how they smother schemes. Everytime the people come forward with such schemes, some gentleman steps forward and stops those activities. Now, what is the use of the Honourable Minister having brought forward this scheme of Joint Development Board? If you read his speech about the Joint Development Board, you would see that he was going to launch a new era of industrial development in the Punjab. Such a nice speech he made, full of academical interest and high phraseology which even Shakespeare could not have thought of. He uttered such beautiful words. But now after 5 years, he has nothing but a row of beautiful teeth to show, nicely washed with some English or American preparation. They all laugh. The Ministers I mean. Probably they have done their best. I do not want to use any strong word. But as against these four brown gentlemen sitting there, does the word of one gentleman, Sir Henry Craik, carry so much weight that they cannot get over him? If that is so, let them say so openly, that Sir Henry Craik outwits them and then we know how to tackle Sir Henry Craik.

Mr. President : No personal remarks should be made.

Shaikh Muhammad Sadiq : I am not attacking them. I will not mention names. Let them say that the Finance Secretary refuses them money. I know personally that the Finance Secretary has sympathy towards Indian aspirations. My friends also there have sympathies for Indian industries. But somehow or other, when it comes to actualities

[Shaikh Muhammad Sadiq.]

and facts, you find something missing. We do not know where the hole is through which all these good ideas and sympathies drop away. I know they are sincere. They know that unless they develop the Punjab industries they will not be able to get their high salaries for there will be no money. Their future generation will not get jobs unless there is money in the Punjab. So I know they are sincere. I know my honourable friend over there—the Honourable the Finance Member—is sincere. He is ready to catch hold of terrorists, but that does not mean that he is against Indian industries. I do not think he is against our aspirations. But then I do not understand the working of this Government. Is it not really four against one? Give me the chance, I will induce him in two minutes. The Ministers either think that it is not their job or they do not want to displease the Honourable Finance Member. Perhaps they are afraid of his monocle. There seems to be something behind. I cannot mention a higher personage as rules do not permit me. But I know he is also sympathetic. So I do not understand what is going to happen to this Joint Development Board. Start to-day with 40 or 50 lakhs and you will see the result. I gave a scheme 5 or 6 years ago for encouraging the Punjab industries. It may mean one lakh of loss every year but with the help of this lakh you can start industries worth one crore of rupees. (*The Honourable Captain Sardar Sir Sikander Hyat Khan*: What about the tannery at Shahdara?) You started it yourself. You should not have invested any capital. You should have asked the capitalists to come forward giving them say 4 per cent. guarantee, and if they misbehaved and cheated you, you should have sent them to jail. The Honourable Sir Henry Craik has extended the buildings for jails and there will be enough room for this kind of gentry also. Make stringent laws and shut them there if they cheat you. Or show them first and give them a free visit and tell them that if they misbehave they will be put into those prisons. You have special tribunals for anarchists. If at all a tribunal is necessary, it is all the more necessary for such gentlemen. If the Honourable Finance Member is going to open a jail for such kind of gentlemen, I will raise my both hands to support him. Now I understand a scheme is ready incorporating the ideas discussed in the Council and in the Industries Standing Committee. Grant 2 or 3 lakhs a year for we will force you to do it. So even now bring in a motion to-morrow and ask for 4 or 5 lakhs to the Development Board, not a paltry sum of Rs. 1,900 which may be for stationery or for stamps or for travelling allowance of a few officers. Ask more, no one will refuse you. Let the Finance Member refuse, let the Revenue Member refuse, but we will give you the necessary money. Why do you not ask? Why do you feel shy? Who is there to stop you? As far as we are concerned, we have no power to increase the grant but only to cut it. If you have the courage, stand up and ask for more. Say "we want one lakh" and we will to a man support you. But you will never stand up. You are afraid that you will get a snub or somebody will pull you down from behind. But if you are sincere that our industries should flourish, you must ask for more. Come to Amritsar, you will find thousands of people out of work. People have nothing to eat. They are without food. You will find young men there loitering and smoking *hukka* in street corners. These youngmen have spent thousands of rupees on their education but you will not give them a chance to work. Why should you allow the Japanese,

Germans, Italians and others to take away our money? There is only one way out of this and that is to start industries in the Punjab. Nobody can prevent you. There may be ordinances, but no ordinance will make us buy foreign things because we have no money. Try and raise the status of India. Have you heard of Japan selling artificial cloth at 6 pice a yard at Karachi? Have you ever heard of the poor workless starving because an unscrupulous nation is trying to kill the industry of this country? What do you think of Japan selling the cloth at 6 pice a yard at Karachi and probably at 2 annas or 7 pies at Lahore, paying all the time the insurance charges, the freight, their labour and so on. The only solution to this is to push forward the schemes of the Joint Development Board. I ask the Honourable Minister for Local Self-Government to utilise the electricity—I do not think he will use it to electrocute people—to the best advantage. Make bicycles to-day. The Japanese are able to sell their cycles at Rs. 15 in Lahore or Karachi. Look at Japan selling bulbs at 3 annas each. Look at porcelain and thousand other things which are coming so cheap. We have got here any amount of clay and any amount of talent. Look at the pen which Japan sells at 2 pies each. We have exactly the same materials and we could produce if encouraged. Push forward your schemes and you will see that the Punjab will be a flourishing province. Even at this time Punjab has invested one crore or more on sugar industry in and outside the province, and it is ready to invest one crore more. They are not able to get more than 2 or 2½ per cent. from the Imperial Bank. Money is lying idle and the poor are dying of hunger. There is money on one side and idleness on the other. Bring them together. Otherwise you will have riots and people crying for bread. Time has come to support the industries with courage, never mind the staring eye of Mr. Puckle or the Finance Member. You are in majority in the Government and you are sure to succeed. Of course there will be no question of physical power. See that the money of the Punjab is spent in the Punjab. At least let us try and fail. That is much better than not to try at all. With these words I support the cut. But I am sure that my friend will not press it. It is not for us to condemn, but to let the public judge and condemn them.

The Council then adjourned till 2 p. m. on Monday, 18th March 1933.

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PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Monday, 13th March 1933.

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—

Colonel D. P. GOIL (Inspector-General of Civil Hospitals).

Mr. H. B. STEWART (Director of Agriculture).

STARRED QUESTIONS AND ANSWERS.

SCARCITY OF FODDER ON LOWER CHENAB CANAL.

***2313. Sardar Bishan Singh :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether he is aware that there is a great scarcity of green as well as dry fodder on the Lower Chenab Canals due to very frequent and untimely closures ;
- (b) the present price of *bhusa* per maund in the market ;
- (c) what action Government is prepared to take ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Yes ; partly due to deficient rainfall and partly to shortage of water in the river which necessitated rotational closures of canals.

- (b) Sheikhpura district .. Re. 1 per maund.
- Jhang district .. 14 annas to Re. 1 per maund.
- Lyallpur district .. 14 annas to Rs. 1-2-0 per maund.

(c) The Government are prepared to grant concession rates for the import of fodder if the district authorities consider that such a step is required. They are being consulted.

MIANWALI AND THE RAILWAY.

***2314. Khan Bahadur Captain Malik Muzaffar Khan :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that the railway station and the railway lines intervene between the Mianwali town and the civil station including two high schools, church, the district board office and other suburbs of the town and that the town is extending towards the east of the railway line ;

[K. B. Capt. Malik Muzaffar Khan.]

- (b) whether it is a fact that the railway authorities have recently constructed an iron fencing towards the east of the railway station and that there is no access and easy communication towards the east of the railway line ;
- (c) whether the Government will construct an overbridge connecting the main town with the civil lines as in the case of many other towns ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The reply to the first part of the question is in affirmative. There however, two level crossings, one at each end of the station yard, for the passage of public traffic. One of these leads directly to the courts, civil station and district board office. and the other to the small suburb of the town south-east of the railway station. There are no other suburbs east of the railway station.

(b) The reply to the first part of the question is in the affirmative. The fencing was constructed to stop trespassing. There is easy access to the schools and church *via* the two level crossings mentioned in (a) above.

(c) No. Government cannot even consider such a proposal in these days of acute financial stringency.

ZAILDARS AND SUFEDPOSHES.

***2315. Mian Nurullah :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that for many years the Government used to accept the son of a sufedposh or a zaildar as his *sarbarah* as soon as the sufedposh or the zaildar became old and unfit to discharge the duties imposed upon him ;
- (b) whether recently the Government has changed its rules and does not generally allow it now ;
- (c) if so, for what reasons and from when ;
- (d) whether it is a fact that generally the eldest son of a sufedposh or a zaildar carries on all the duties imposed upon him, when he becomes fairly old ;
- (e) if so, what objection the Government has in recognising him as *sarbarah* ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) and (e) The appointment of an agent for a sufedposh or zaildar rests with the Collector, and no rules have been made by Government either enjoining or forbidding the appointment of a son.

(b) No.

(c) Does not arise.

(d) The suggestion in this part of the question is probably correct.

ZAILDARS AND SUFEDPOSHES.

***2316. Mian Nurullah :** Will the Honourable Member for Revenue please state—

- (a) whether the Government has changed any zaildar or sufedposh for reasons of his age ;
- (b) if so, how many of them ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) and (b) The appointment, suspension and dismissal of zaildars and sufedposhes rests with the Collector, and the Government do not consider it necessary to enquire whether any zaildar or sufedposh has been dismissed on account of old age.

DISTRICT BOARDS AND THE GRIEVANCES OF ZAMINDARS.

***2317. Mian Nurullah :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that notice of a resolution on the subject of land revenue and *abiana* has been given many a time in the District Board, Lyallpur ;
- (b) if so, how many times such discussion was allowed and how many times not allowed ?

The Honourable Dr. Gokul Chand Narang : (a) Yes, eight times since April, 1928.

(b) Discussion of the subject was allowed five times and not allowed three times.

CLOSURE OF BRANCHES OF LOWER CHENAB CANAL.

***2318. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state—

- (a) for how many days during the last ten years from 1st October to 31st March was each of the branches of Lower Chenab Canal closed ;
- (b) the average number of days of closures on each of Gugera Branch, Rakh Branch and Jhang Branch ;
- (c) the period of closures during the current year ;
- (d) whether the closures during this year during the *rabi* season have been very long, frequent and untimely ;
- (e) whether the Government is aware of the ruinous results of these long, frequent and untimely closures ;
- (f) what relief the Government is prepared to give to the zamindars who have suffered ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a),
(b), (c) Number of days closed between 1st October to 31st March—

Year.					Jhang Branch.	Rakh Branch.	Mian Ali Branch.	Upper Gugara Branch.
1923-24	..	..	..	..	32	27	29	25
1924-25	..	..	..	..	39	55	17	26
1925-26	..	..	..	..	49	38	27	25
1926-27	..	..	..	..	30	32	22	13
1927-28	..	..	..	..	58	35	56	20
1928-29	..	..	..	..	22	25	30	3
1929-30	..	..	..	..	31	20	31	24
1930-31	..	..	..	..	24	31	42	36
1931-32	..	..	..	..	30	34	38	16
1932-33	..	..	..	..	52	42	52	43
Average					37	34	34	23

(d) Yes, when compared with normal average but not when compared with previous years of exceptionally low river supply.

(e) Supplies available have been adequate to sow and mature the area proposed for irrigation.

(f) Remission will be granted under the existing rules.

AREA UNDER WHEAT.

***2319. Mian Nurullah :** Will the Honourable Member for Revenue please state—

- whether the Government is aware that the area under wheat sown after the 1st of December 1932 is much more than it used to be ;
- if not, what was the percentage of such area under wheat for the last 5 years and how does it compare with this year ;
- whether it is a fact that the area under *kor* upto the 15th of February is much more than what was during the last year ;
- what was the percentage of *kor* on the 15th February 1933, in the various divisions of the Lower Chenab Canal ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Government has no information, as no record is kept either of the date of sowings or the date of waterings.

FROST IN LYALLPUR.

***2320. Mian Nurullah :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that there was an attack of frost this year in the Lyallpur district ;
- (b) whether it is a fact that its attack occurred when the canals were closed ;
- (c) whether the Government is aware that the frost adversely affected the growth of wheat and practically destroyed the *toria* crop, and that in many fields the *toria* seed shrivelled and did not mature properly due to severe frost ?

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

(b) Yes.

(c) Late sown *toria* was damaged to some extent, but it was not destroyed. Wheat does not appear to have been damaged in any way.

REMISSION ON *TORIA* CROP ON THE LOWER CHENAB CANAL.

***2321. Mian Nurullah :** Will the Honourable Member for Revenue please state—

- (a) the total area under *toria* on the Lower Chenab Canal this year ;
- (b) the total area matured as *kor* ;
- (c) whether in view of the above the Government is considering any special remission on *toria* crop this year ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) 168,075 acres.

(b) No record is kept of the date of waterings.

(c) No.

TORIA.

***2322. Mian Nurullah :** Will the Honourable Member for Revenue please state the average yield of *toria* per acre this year ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : It is regretted that the information is not yet available.

FACILITIES TO AUCTION PURCHASERS IN THE LYALLPUR DISTRICT.

***2323. Mian Nurullah :** (a) Will the Honourable Member for Revenue kindly lay on the table Government's letter No. 1866-C.(S), dated the 29th September 1932, advertised in a notice, dated the 26th October 1932, in vernacular by the Deputy Commissioner, Montgomery ?

(b) Why has the Government not extended these facilities to the auction purchasers of the same years in the Lyallpur district ?

(c) Is the Government prepared to do so now ?

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

(b) The conditions of the auctions were different, and orders passed on one set of circumstances are not necessarily suitable to another.

(c) No.

Copy of a letter No. 1866-C. (S.), dated Simla-E., the 29th September 1932, from F. C. Bourne, Esquire, I.C.S., Deputy Secretary to Government Punjab, Development Department, to the Commissioner, Multan Division.

The Punjab Government have had under consideration certain representations made on behalf of the purchasers of land by auction or by tender in the Lower Bari Doab Colony in 1925, 1927 and 1928 and have sanctioned the issue of the following orders. These orders apply only to lands sold at

1. Punjab Government Notification No. 301-1666-5536, dated 16th April 1924.

2. Punjab Government Notification No. 1540-D., dated 8th April, 1926.

auction or by tender under the terms of the notifications detailed in the margin and under Nili Bar auction terms in the case of the sale of Khaneval in 1927. All previous orders in connection with the disposal of these lands in so far as they conflict with the orders now conveyed are cancelled.

1. All these persons, whose bids or tenders were accepted in 1925 and who were still in possession of their purchases on the 31st of March 1930, may now be offered in return for their initial deposits occupancy rights in the land purchased by them. Their tenancies will be on peasant terms and subject to the conditions applicable to peasant tenancies in the Lower Bari Doab Colony. For the purposes of clause 24 of those conditions (purchase of proprietary rights) their tenancies will be considered to have started from the 31st of March 1930. They will thus be entitled to purchase proprietary rights on the 31st of March 1937. The price fixed under the first proviso to this clause shall be Rs. 100 per acre. Any purchaser, who has paid any sum in addition to his initial deposit, shall be entitled to credit that sum against the 100 per acre due for proprietary rights, when he becomes entitled to purchase in 1937. No refunds will be allowed. Purchasers, who have paid their initial deposits and no more shall pay the full purchase price Rs. 100 per acre on or after the 31st March 1937, either in a lump sum or by instalments as provided for land receiving perennial irrigation in clause 25 of the conditions relating to peasant grants on the Sutlej Valley Canals (Punjab Government notification No. 299-D., dated the 21st January 1926, as amended by Punjab Government Notification No. 1138-D (S.), dated 16th September 1927). The permanent residence of a tenant, under clause 17 of the Lower Bari Doab Colony peasant conditions, will be insisted on, unless the tenant owns land elsewhere in the Lower Bari Doab Colony or in another colony in which he is bound under his conditions of tenancy to reside.

2. Certain concessions for the auction purchasers of 1927 and 1928 have already been made by Government. See my letter No. 1041-C., dated the 23rd February 1932. It has now been decided that these concessions should be extended in the following manner. The concessions now

made are not limited to purchasers whose lands were confiscated since January 1st, 1931, but are open to all the purchasers concerned in these auctions. Purchasers who have already taken advantage of the concessions previously allowed are not debarred from taking advantage of the further concessions described below :—

- (1) The purchasers may now be given immediate possession with proprietary rights of such land to the nearest complete killa as they have already paid for at the price bid, provided that no allotment is made of less than 5 killas in any rectangle, and that the land sold consists of a continuous block.
- (2) Further they may be permitted to remain in possession as tenants of the remaining area for which their bids were accepted. In respect of this remaining area they will be governed by the Lower Bari Doab Colony peasant conditions, and their tenancies will be considered to have started from the date when they first took possession of their lands. Here too the condition of permanent residence will be insisted on unless the tenant owns land elsewhere in the Lower Bari Doab Colony or in another colony in which he is bound under his conditions of tenancy to reside. For the purposes of clause 24 of their conditions (purchase of proprietary rights) the purchase price for this land will be half the amount per acre which was originally bid and this will be payable in 10 half-yearly instalments.
- (3) Purchasers, who have not yet paid the price of 5 killas, will be permitted to complete the purchase of this area provided they do so at the original price offered and complete payment by 1st January, 1933. If they fail to do so, they will not be entitled to any of the concessions sanctioned in this letter.
- (4) Purchasers of more than one lot will be allowed to concentrate all moneys paid against the retention of a selected block of killas in one lot or of one or more whole lots and part of another, and to remain in possession of the balance as tenants, see clause (2) above. Such purchasers will be allowed to choose the killas they desire to purchase and the price will be that actually bid for the killas chosen.
- (5) Where co-sharers have separated, if one or more have paid up the price of five killas or more, the Deputy Commissioner may allot five killas or more to those co-sharers who have paid. He may also allow the paying co-sharers to pay the additional sum required to bring the land to the nearest killa above that covered by the price paid.
- (6) All sums paid or to be paid should be counted as payments against the principal purchase price, no calculations should be made in respect of interest.

8. With regard to the condition of permanent residence imposed in paragraphs 1 and 2 (2) of this letter an exception may be made in the case of Government servants who by reason of their service are unable

[Hon. Sir Sikander Hyat Khan.]

to fulfil the condition of residence. Should any such Government servant receive land on peasant terms in accordance with the orders contained in this letter, the Collector may accept an agent to be approved by him for such period as the officer may remain in service.

4. It appears that only a very small area out of the lands concerned has been reallocated after confiscation, and where such reallocations have taken place the deputy commissioner is authorised to offer the purchasers concerned an equivalent area of the same quality in exchange.

5. Since the tenancies are proposed to start in the case of 1925 purchasers from the 31st March, 1930, and in the case of 1927-28 purchasers from the date on which they first took possession of their lands, the period for initial remissions must be considered to have expired, and no such remissions (see clause 16 of the peasant conditions) will be given now.

6. No purchaser now becoming a tenant under these orders shall be permitted an exchange of the land comprised in such tenancy in any circumstances.

7. Where tenancies are allotted, *mahikana* under clause 16 of the peasant conditions will be recovered for the first crop cultivated under those conditions, which will presumably in most cases be *khari* 1933.

* 8. There will be no necessity to introduce any new form of conveyance deed in view of the orders now proposed. Purchasers of 1927-28, who are to receive proprietary rights in five killas or more, will be entitled to receive a conveyance deed in the ordinary Lower Bari Doab Colony form. As regards the remaining area to be allotted to these purchasers on peasant terms, the Collector will draw up the usual allotment order in each case. For the 1925 auction purchasers, each will be entitled to receive a *sanad* of occupancy rights in the form shown at page 205 of volume II of the Colony Manual amended where necessary.

Mian Nurullah : What would be the financial effect if these concessions are granted ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I am afraid it is not possible to even hazard an estimate off hand.

CRIMINAL TRIBES.

*2324. **Guru Jaswant Singh :** Will the Honourable Member for Revenue kindly state—

(a) the number of Rai Sikhs, Mahtams and other members of the criminal tribes prosecuted since the meeting of the criminal tribes at Guru Harsahai in 1931-32, giving the number of prosecutions launched from each of the thanas of Mamdot, Fazilka, Jalalabad and Guru Harsahai ;

(b) (i) the number of cases in which the first information report was registered ;

(ii) the number of cases in which the first information report was cancelled after investigation ;

(iii) the number of cases sent up for trial ;

(iv) the number of cases which resulted in convictions and acquittals respectively, giving the above details with regard to each of the thanas mentioned in (a) ?

The Honourable Captain Sardar Sir Sikander Hyat Khan :
Two statements are laid on the table.

Statements.

(a) The number of Rai Sikhs (Mahtams) and other members of criminal tribes prosecuted since the meeting of the criminal tribes at Guru Har Sahai in 1931-32 are :—

Name of Police Station.	Mahtams.	Other members of criminal tribes.
1. Mamdot	117	..
2. Fazilka	16	1
3. Jalalabad	8	5
4. Guru Har Sahai	2	3

(b) (i) to (iv).

Name of Police Station.	Number of cases in which First Information Report was registered.	Number of cases in which First Information Report was cancelled after investigation.	Number of cases sent for trial.	NUMBER OF CASES RESULTED IN		Cases still pending.
				Convictions.	Acquittals.	
Mamdot	59	1	58	49	4	4
Fazilka	9	..	9	6	..	3
Jalalabad	13	1	12	12	..	..
Guru Har Sahai	6	1	5	5	..	..

CRIMINAL TRIBES.

***2325. Guru Jaswant Singh :** (i) Will the Honourable Revenue Member kindly state—

(a) the number of Mahtams declared as members of the criminal tribes during the past five years in the Ferozepore district ;

[Guru Jaswant Singh.]

- (b) the reasons for declaring them to be members of the criminal tribes;
- (c) whether there are any persons amongst them who have not committed any crime;
- (d) the number of Mahtams declared as members of the criminal tribes for the reason that their fathers or relations were members of criminal tribes;
- (ii) if there are any persons who have been declared members of the criminal tribes for no fault of theirs, will Government be pleased to state the reasons for the same?

The Honourable Captain Sardar Sir Sikander Hyat Khan :

- (i) (a) None.
- (b) Does not arise.
- (c) Does not arise.
- (d) One hundred and eighty-five Mahtams were registered under the rules during the last five years on attaining the age of registration as their fathers were restricted members of Mahtam criminal tribes.
- (ii) Nil.

Mian Nurullah : Will the Honourable Member define "criminal tribe."

The Honourable Captain Sardar Sir Sikander Hyat Khan : People who are habitually addicted to crime and belong to certain specified tribes.

Mian Nurullah : Do minors also come within this definition?

The Honourable Captain Sardar Sir Sikandar Hyat Khan : To this extent that they have to be weaned away from past traditions and pernicious influences.

CRIMINAL TRIBES.

***2326. Guru Jaswant Singh :** Will the Honourable Revenue Member kindly state—

- (a) whether it is a fact that a constable has been specially posted at village Hazarasinghwalla, thana Mamdot, for marking the presence or absence of members of the criminal tribes, both in the morning and in the evening;
- (b) whether it is a fact that all the Mahtams included in (a) are agriculturists by profession and that much of their time is wasted in having their attendance marked by the constable mentioned in (a);
- (c) whether the Government is prepared to order that in future their attendance should be marked by the lambardar of the village only once in the day and that in the evening?

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

(b) All the Mahtams are agriculturists by profession, but the Superintendent of Police reports that most of them do not attend the agriculture, and are addicted to crime such as distillation of liquor, counterfeiting coins, cattle thefts, etc. The roll-calls do not take much time.

(c) The lambardar is unfit for being entrusted with this responsible duty.

Enquiries are being made from the district authorities if in the case of those engaged on agriculture only one roll-call will suffice, and if it is found to be possible only one roll-call will be held in their cases in future.

CHAHÍ RATES IN NILÍ BAR.

***2327. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

(a) the *chahi* rates levied in the Nili Bar ;

(b) whether it is a fact that grantees in the Nili Bar cannot repair or rebuild old *dals* except with the previous sanction of the Deputy Commissioner ?

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

(b) There are no grantees of *dals*. Presumably the honourable member refers to old wells in State lands which are not granted along with the rectangle but are sold separately. There is no need for any grantee to obtain the sanction of any authority to repair a well of which he is the owner.

Statement.

Name of district.	Name of tahsil.	Name of Circle.	Chahi rate.	Nature of rate per acre-matured or lump sum.
			Rs. A. P.	
Montgomery ..	I.—Pakpattan	(a) Bar Circle ..	1 2 0	Per acre matured.
		(b) Sohag Para Circle	1 8 0	Ditto.
		(c) Bet Circle ..	1 5 0	Ditto.
	II.—Dipalpur..	(a) Bar Circle ..	1 0 0	Ditto.
		(b) Khanwah Circle	1 2 0	Ditto.
		(c) Sohag Circle ..	1 4 0	Ditto.
		(d) Bet Circle ..	1 2 0	Ditto
Multan ..	I.—Lodhran ..	(a) Hithar ..	19 0 0	Average lump sum assessment per well in use.
		(b) Utar ..	21 8 0	
		(c) Rawa ..	17 8 0	
	II.—Mailai ..	(a) Hithar ..	19 0 0	
		(b) Utar ..	21-22 0 0	
		(c) Rawa ..	13-14 0 0	

INCOME AND EXPENDITURE OF DEMONSTRATION FARMS.

***2328. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly place on the table of the House a statement showing the income and expenditure of five of the best Demonstration Farms in the province during the last five years stating whether they are canal-irrigated, well-irrigated or *barani*, the area of each and whether each constitutes a compact plot or is scattered in several places ?

The Honourable Sardar Sir Jogendra Singh : There are no demonstration farms in the province now ; there are experimental and seed farms, and if the honourable member desires I will get the information for him.

GRANTS TO DISTRICT BOARDS.

***2329. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state the amount which the Government has spent directly or in the way of grants to district boards for the improvement of inter-village communications during 1926-27, 1927-28, 1928-29, 1929-30, 1930-31 and 1931-32, respectively ?

The Honourable Sardar Sir Jogendra Singh : Since 1924 the Communications Board has been endeavouring to help district boards in the improvement of village roads by offering a grant-in-aid of $\frac{2}{3}$ rd of the cost. But these schemes involve acquisition of expensive land and on this account the district boards have been unable to submit concrete proposals.

A grant of Rs. 11,186 and Rs. 3,109 was, however, paid to the District Boards of Muzaffargarh and Sialkot during the following noted years :—

	Year.	Rs.	Rs.
Muzaffargarh district—			
	1926-27 ..	.. 2,700	
	1927-28 ..	.. 8,486	
		—————	11,186
Sialkot district—			
	1929-30 ..	.. 2,694	
	1930-31 ..	.. 415	
		—————	3,109

DRINKING WATER IN AMBALA.

***2330. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state the amount spent by the Government on the supply of good drinking water in rural areas in the division of Ambala during the last five years and on grants for water-works in the municipal towns of the province during the same period ?

The Honourable Malik Sir Firoz Khan Noon : The amounts were Rs. 68,949 and Rs. 12,86,450, respectively, but I think these figures are not likely to present the real picture to the House, and I feel it my duty to explain that originally the Government used to sanction a sum of Rs. 10 lakhs jointly for urban and rural water schemes. As very few schemes came up for village water supplies practically the whole

of this money was spent on urban areas. I was instrumental in having the activities of the Sanitary Board split into two sections—

- (1) The Urban and
- (2) The Rural.

For the rural section rupees two lakhs were ear-marked every year and these two lakhs could not be spent on urban areas. Consequently a large number of schemes of village water supplies were worked out and I am glad to say that some of them have been executed already, but unfortunately the financial stringency came in, and all new works have had to be stopped. I have no doubt that as soon as our finances improve the village water supply schemes will have their proper share out of grants placed at the disposal of the Sanitary Board.

UNECONOMIC HOLDINGS.

***2331. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state the approximate proportion of uneconomic holdings in the province and the percentage which the area of such holdings constitutes of the entire area under cultivation ?

The Honourable Captain Sardar Sir Sikandar Hyat Khan : In default of a satisfactory definition of the term "economic holding" I regret that I am unable to hazard any estimate of the nature desired.

PIR MAHAL EXTENSION.

***2332. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state whether any *mandis* and roads, and if so, which, have been constructed in the Pir Mahal extension, and if not when it is proposed to construct the necessary roads and auction shop-sites ?

The Honourable Captain Sardar Sir Sikandar Hyat Khan : No *mandis* or roads have so far been constructed in the Pir Mahal Extension. A supplementary estimate for roads in this area was placed before the last session of this Council, but was rejected on the motion of the honourable member. I am not able to give a definite answer to the last part of the question.

INDUSTRIAL LOAN TO MANUFACTURERS IN LUDHIANA.

***2333. Khwaja Muhammad Eusoof :** Will the Honourable Minister or Local Self-Government kindly state—

- (a) the total amount of loans advanced by the Department of Industries, Punjab, since the coming into operation of the Punjab Industrial Loans Act, down to the end of 1932 ;
- (b) the total amount of loans advanced to manufacturers in Ludhiana under the aforesaid Act during the aforesaid period ;
- (c) the total amount of loans advanced to manufacturers in Ludhiana each year during the aforesaid period ;
- (d) the names of the industries in Ludhiana which received the loans each year during the aforesaid period ;
- (e) the total amount of loans received by each industry each year during the aforesaid period ;
- (f) the total amount of loans advanced each year during the aforesaid period, communitywise to manufacturers in Ludhiana ;

[Khwaja Muhammad Eusoof.]

- (g) the number of applicants, communitywise, from Ludhiana for loans under the aforesaid Act each year during the aforesaid period ;
- (h) the number of applicants, communitywise, from Ludhiana who were granted loans each year during the aforesaid period ;
- (i) the amount of (i) the largest, (ii) the smallest loan advanced to individual manufacturers in Ludhiana each year during the aforesaid period, with the names of such grantees ;
- (j) the number of cases in which the individual loans were below Rs. 1,000 each year during the aforesaid period with the actual amount advanced in each case, communitywise ?

The Honourable Dr. Gokul Chand Narang: A statement is laid on the table :—

					Rs.
(a)	..	..	..	..	5,04,750
(b)	..	..	..	..	82,050
(c)	1926-27	..	..	..	5,000
	1927-28	..	..	..	..
	1928-29	..	..	..	10,000
	1929-30	..	..	..	43,500
	1930-31	..	..	..	18,550
	1931-32	..	..	..	..
	1932-33	..	..	..	5,000
(d)	1926-27	..	Weaving.	..	..
	1927-28	..	..	..	..
	1928-29	..	Hosiery and Harmonium making.	..	..
	1929-30	..	Weaving and Hosiery.	..	..
	1930-31	..	Weaving and Hosiery."	..	..
	1931-32	..	..	..	..
	1932-33	..	Bleaching and Dyeing.	..	..
					Rs.
(e)	1926-27	..	Weaving	..	5,000
	1927-28	..	..	..	..
	1928-29	..	Hosiery	..	6,000
		..	Harmonium making	..	4,000
	1929-30	..	Weaving	..	22,000
		..	Hosiery	..	21,500
	1930-31	..	Weaving	..	4,000
		..	Hosiery	..	14,550
	1931-32	..	..	..	..
	1932-33	..	Bleaching and Dyeing	..	5,000
(f)	1926-27	..	Christian	..	5,000
	1927-28	..	..	..	..
	1928-29	..	Hindus	..	9,000
		..	Sikhs	..	1,000
	1929-30	..	Hindus	..	41,000
		..	Christians	..	2,000
		..	Muslims	..	500
	1930-31	..	Hindus	..	17,150
		..	Muslims	..	1,400

				Rs.
1981-82	..	..	..
1982-83	..	Muslims	..	5,000
(g) 1926-27	..	Christian	.. 1	
1927-28	..	..	..
1928-29	..	Hindus	.. 2	
		Sikhs	.. 1	
1929-30	..	Hindus	.. 8	
		Muslims	.. 1	
		Christian	.. 1	
1930-31	..	Hindus	.. 7	
		Muslims	.. 2	
		Christian	.. 1	
1981-82	..	..	..
1982-83	..	Hindus	.. 2	
		Sikhs	.. 1 (later withdrawn).	
		Muslims	.. 2	
(h) 1926-27	..	Christian	.. 1	
1927-28	..	..	..
1928-29	..	Hindus	.. 2	
		Sikhs	.. 1	
1929-30	..	Hindus	.. 6	
		Muslims	.. 1	
		Christian	.. 1	
1930-31	..	Hindus	.. 7	
		Muslims	.. 2	
1981-82	..	..	..
1982-83	..	Muslim	.. 1	One more earmarked for a Muslim but not yet paid for non-production of title deeds.
(i) 1926-27	..	Largest and smallest loan	.. 5,000	Benjamin Weaving Factory.
				Rs.
1927-28	..	..	..
1928-29	..	Largest	.. 5,000	Messrs. Shiv Chand Devi Chand.
		Smallest	.. 1,000	The Students Own Hosiery Works.
1929-30	..	Largest	.. 20,000	Nationals, Limited.
		Smallest	.. 500	M. Muhammad Ismail.
1930-31	..	Largest	.. 5,000	Swadeshi Karayla Hosiery Factory.
		Smallest	.. 400	M. Muhammad Ismail.
1981-82	..	..	..
1982-83	..	Largest and smallest loan	.. 5,000	

[Hon'ble Dr. Gokul Chand Narang.]

			Rs.
(j) 1926-27	..	..	..
1927-28	..	..	..
1928-29	..	..	..
1929-30	..	M. Muhammad Ismail	500
1930-31	..	M. Muhammad Ismail	400
1931-32	..	..	..
1932-33	..	..	..

**HOSIERY EXPERT AND PRINCIPAL GOVERNMENT HOSIERY INSTITUTE,
LUDHIANA.**

***2334. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Local Self-Government be pleased to state —

- (a) whether he is aware of a report in the Press to the effect that the Department of Industries, Punjab, has decided to remove or contemplate the removal of Mr. Husam-ud-Din, Hosiery Expert and Principal, Government Hosiery Institute, Ludhiana, from his present post in Government service ;
- (b) whether this report is correct ; if so,
 - (i) on what ground or grounds this decision has been taken or is being contemplated ;
 - (ii) whether the actual or the contemplated decision is based on any specific charge of misconduct ? If so, what are the particulars of that charge, and whether any regular enquiry has been made thereinto ; and whether he has been afforded an opportunity to defend himself or to explain his position ;
- (c) whether there is any scheme for reorganisation of the Department of Industries, Punjab, or of the Government Hosiery Institute, Ludhiana, necessitating the removal of Mr. Husam-ud-Din from his present post ;
- (d) if the answer to (c) is in the affirmative, whether the department has decided or proposes to appoint Mr. Husam-ud-Din to some other post ; if so, to what post ?

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

(b), (c) and (d) Government does not consider it in the public interest to say more at this stage.

**HOSIERY EXPERT AND PRINCIPAL, GOVERNMENT HOSIERY INSTITUTE,
LUDHIANA.**

***2335. Khwaja Muhammad Eusoof :** Is the Honourable Minister for Local Self-Government aware that on the 24th January 1933 the Ludhiana Municipal Committee, in a general meeting, presided over by Lala Sant Dass, Vice-President, unanimously passed a resolution moved by me and seconded by Mr. Muni Lal, Kalia, Pleader, and Lala Tilak Ram, expressing surprise and regret at the Press report regarding the contemplated removal of Mr. Husam-ud-Din from his present post of Principal, Government Hosiery

Institute, Ludhiana, and admiration for and appreciation of his personal character, and his great services and knowledge in the cause of industrial improvements and appealing to the Government, in case the Press report was correct, to reconsider their decision ?

The Honourable Dr. Gokul Chand Narang : I have not seen the resolution referred to by the honourable member, but I might state for his information that each case receives, and will continue to receive, due consideration on its merits.

TRAINING INSTITUTIONS FOR BOYS.

***2336. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Education kindly state—

- (a) the number of training institutions for boys in the Punjab, in the years 1929, 1930, 1931, 1932 and 1933 ;
- (b) whether it is a fact that there are only three training institutions for boys in the whole of the Punjab—one at Lala Musa, the other at Ghakhar and the third at Jullundur ;
- (c) whether the present incumbent of the post of Inspector of Training Institutions, Punjab, is a Muhammadan ;
- (d) the pay of the present incumbent of the post ;
- (e) the reason why the inspection of these three institutions cannot be made by divisional inspectors of schools in their respective divisions ;
- (f) what steps he intends to take to abolish this post ?

The Honourable Malik Sir Firoz Khan Noon : (a)—

			Normal Schools.	Combined. Institutions.
1928-29	..	33	8	25
1929-30	..	35	7	28
1930-31	..	27	6	21
1931-32	..	13	5	8
1932-33	..	9	3	..

(b) Yes.

(c) Yes.

(d) Rs. 760 (Rupees seven hundred and sixty only) per mensem.

(e) The Inspector of Training Institutions, Punjab, not only supervises the training institutions, but assists the Director of Public Instructions in all matters relating to the training of teachers and also in cases connected with anglo-vernacular education.

(f) There is no intention of abolishing the post as this officer's time is fully occupied.

Rai Bahadur Lala Sewak Ram : Could not that work be done by the district inspectors ?

The Honourable Malik Sir Firoz Khan Noon : No.

REVENUE PAID BY LANDOWNERS.

***2337. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state per district the number of landowners who pay an annual revenue of Rs. 500 and Rs. 100, respectively ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : A statement compiled from the Electoral Rolls of Landholders Constituencies of the Punjab Legislative Council is laid on the table showing the number of landowners paying land revenue of Rs. 500 and over. Figures regarding landowners paying land revenue of Rs. 100 and over are not available, and the result of compilation of these figures will not be commensurate with the labour involved, but I think the honourable member may be able to get some idea from the electoral rolls of the Legislative Assembly.

Statement showing the number of Landowners paying land revenue of Rs. 500 and over compiled from the Electoral Rolls of Landholders Constituencies of the Punjab Legislative Council.

Serial No.	District.				Number of Landowners.
1	Hissar ..	..	..	..	83
2	Rohtak ..	..	..	..	34
3	Gurgaon	..	..	..	51
4	Karnal	..	..	..	90
5	Ambala	..	..	..	42
6	Simla	..	..	..	1
7	Kangra	..	..	..	22
8	Hoshiarpur	..	..	..	84
9	Jullundur	..	..	..	78
10	Ludhiana	..	..	..	24
11	Perozepore	..	..	..	108
12	Lahore	..	..	..	242
13	Amritsar	..	..	..	62
14	Gurdaspur	..	..	..	93
15	Sialkot	..	..	..	60
16	Gujranwala	..	..	..	178
17	Sheikhupura	..	..	..	270
18	Gujrat ..	..	..	..	63
19	Shahpur	..	..	..	230
20	Jhelum	..	..	..	62
21	Rawalpindi	..	..	..	32
22	Attock	..	..	..	45
23	Mianwali	..	..	..	35
24	Montgomery	..	..	..	160
25	Lyalpur	..	..	..	407
26	Jhang	..	..	..	201
27	Multan	..	..	..	302
28	Muzaffargarh	..	..	..	50
29	Dera Ghazi Khan ..	..	..	..	48
Total				..	3,092

UNSTARRED QUESTIONS AND ANSWERS.

FAILURE OF TORIA CROP IN SHEIKHUPURA TAHSIL.

615. Chaudhri Shah Muhammad : Will the Honourable Member for Revenue kindly state—

- the yield per acre of *toria* crop in the tahsil of Sheikhupura ;
- whether it is a fact that in certain chaks two maunds per *killa* had been the produce this year ;
- the price per maund for *toria* in the current year ;
- the amount of land revenue and water-rate per acre for *toria* in the tahsil of Sheikhupura ;
- whether it is a fact that throughout the province there was a marked decrease in the yield of *toria* ;
- whether the Government has got any report for the general decrease of the crop and its cause ;
- whether the Government has received any reports from the revenue officials of the districts about the failure of this particular crop ;
- the yearly export of *toria* seeds to other countries from the province for the last three years ;
- the approximate export of the crop this year ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The following yields were assumed at the last settlement of the Sheikhupura tahsil :—

<i>Name of circle.</i>	<i>Nahri and chahi.</i>	<i>Barani.</i>
Lower Chenab Bar	6½ maunds per acre	3 maunds per acre.
Upper Chenab Bar		
Gugera Branch Colony	8 maunds per acre.	

(b) No information is available.

(c) Rs. 3-7-9 per maund.

(d) Land revenue rates per acre—

Name of circle.	Nahri.	Chahi.	Barani.
	Rs. A. P.	Rs. A. P.	Rs. A. P.
Lower Chenab Bar	8 8 0	1 4 0	1 0 0
Upper Chenab Bar			
	Nahri.	Jhallori.	Barani.
	Rs. A. P.	Rs. A. P.	Rs. A. P.
Gugera Branch Colony	4 9 5	2 2 10	0 12 0

[Hon. Sir Sikander Hyat Khan.]

Water Rates per acre for Rabi oilseeds for the Sheikhpura district—

	Rs.	A.	P.				
Upper Chenab Canal	..	3	12	0			
					<i>Schedule A.</i>	<i>Schedule B.</i>	
					Rs. A. P.	Rs. A. P.	
Lower Chenab Canal	..	3	12	0		3	0
						0	0

(e) Information is not available.

(f) and (g) No.

(h) and (i) Information is not available.

COMMUNAL REPRESENTATION IN DIRECTOR OF PUBLIC INSTRUCTION'S OFFICE.

616. Sardar Jawahar Singh Dhillon : With reference to reply to parts (b) and (c) of Question No.* 1831 (a) of 1932, will the Honourable Minister for Education kindly state whether with a view to make up the deficiency, due consideration will be paid to the claims of the Sikhs at the time of making new appointments in the office in future?

The Honourable Malik Sir Firoz Khan Noon : The policy of Government was stated by the Honourable Finance Member in a debate in the Legislative Council on the 19th July 1927. This is still the policy of Government and Government continue to carry out the requirements of the formula contained in the said statement of policy.

HINDU SUB-REGISTRARS.

617. Lala Gopal Das : Will the Honourable Minister for Local Self-Government please state—

- how many sub-registrars there are in Jullundur district;
- whether it is a fact that none of them is a Hindu;
- if the answer to (b) is in the affirmative, whether the Government intends to give the first opportunity to some Hindu gentleman in case of a vacancy?

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

(b) Yes.

(c) The sub-registrars are as a rule appointed on the recommendations of the local officers, and these recommendations are considered along with the instructions laid down in the Registration Manual. The claims of any Hindu recommended by local officers will be duly considered.

HALF-FEE CONCESSION TO AGRICULTURIST STUDENTS.

618. Khan Bahadur Captain Malik Muzaffar Khan : Will the Honourable Minister for Education please state—

- whether the students who are agriculturists are granted half-fee concession in Government schools in some ilaqa;

- (b) whether it is a fact that a student who holds agricultural concession cannot avail of any other fee concession, viz., brother concession, poverty concession, to which he may be ordinarily eligible, and also that the scholarship holders cannot enjoy even the agriculturists concession?

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

(b) Yes. The honourable member's attention is invited to paragraph 4 of Article 121 of the Punjab Education Code, XI edition (1932) under which no student can enjoy two concessions at the same time. There is, however, no objection to agriculturist students enjoying full fee concessions on the score of poverty under Article 120 (b) of the Code. Under Article 122 *ibid.* scholarship-holders are not ordinarily eligible for concessions of fees. This enables a larger number of students to benefit than would otherwise be the case.

GIRLS HIGH SCHOOL IN MIANWALI.

619. Khan Bahadur Captain Malik Muzaffar Khan : Will the Honourable Minister for Education please state—

- (a) whether there is a girls' high school in the Mianwali district ;
(b) if the answer to (a) be in the negative, whether Government intends to open a girls' high school in the district ?

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

(b) The matter is receiving the attention of Government.

EFFECT OF ENHANCED SCHOOL FEE ON PROGRESS OF EDUCATION.

620. Khan Bahadur Captain Malik Muzaffar Khan : Will the Honourable Minister for Education be pleased to state whether in the Mianwali district the enhanced rate of fee in anglo-vernacular schools in the fifth and seventh classes has had an adverse effect on the progress of education by way of decrease in the number of boys joining these classes ?

The Honourable Malik Sir Firoz Khan Noon : I regret that the reply to this question is not yet ready. It will be supplied to the honourable member when ready.

GRANT TO MIANWALI FOR VERNACULAR EDUCATION.

621. Khan Bahadur Captain Malik Muzaffar Khan : Will the Honourable Minister for Education be pleased to state whether it is a fact that Rawalpindi and Jhelum districts get cent per cent. grant for vernacular education while Mianwali which is the poorest district among all the districts of Rawalpindi division does not enjoy this concession ? If so, why is it not treated at least at par with the two said districts in this respect ?

The Honourable Malik Sir Firoz Khan Noon : It is a fact that Rawalpindi and Jhelum District Boards get cent. per cent. grants for their additional approved expenditure on vernacular education and Mianwali gets 90 per cent. The chief reason for the former getting cent. per cent. grant is their exceptional war services.

TAQAVI LOAN IN MIANWALI.

622. Khan Bahadur Captain Malik Muzaffar Khan : Will the Honourable Member for Revenue state whether in Mianwali district the realization of the *taqavi* loan has become an impossibility ; if so, whether it is proposed to remit these loans in this district ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Government have no information to show that the realization of *taqavi* in the Mianwali district has become an impossibility. Adequate provision for remissions of *taqavi* has been made in the budgets of the current and ensuing years and remissions will be sanctioned to the extent which appears necessary after reports have been received from the local authorities.

KHARIF AND RABI CROPS.

623. Khan Bahadur Captain Malik Muzaffar Khan : Will the Honourable Member for Revenue be pleased to state whether the *kharif* crop in the Mianwali district failed this year and the *rabi* crops are not very promising ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The total area sown in *kharif* 1932 amounted to 237,704 acres, of which 115,237 acres were returned as failed. These figures represent 48 per cent. of *kharaba* on the total area sown.

The rains of February 1933 have bettered the condition of standing *rabi* crops. The crops on irrigated lands in Bhakkar tahsil are good and average in Mianwali and Isakhel tahsils at present. On unirrigated lands the condition of crops is from below average to average.

LEASE OF GOVERNMENT LAND.

624. Khan Bahadur Captain Malik Muzaffar Khan : Will the Honourable Member for Revenue be pleased to state—

- (a) whether the Government have passed orders to introduce tender system for the lease of land from the Government *rakh* in the Mianwali district instead of the former practice according to which land was given on temporary cultivation to loyal zamindars, retired soldiers, etc., gratis ;
- (b) whether Government is aware that the zamindars will not be benefited by this system and that the capitalists, chiefly the money-lenders, will be the persons to take advantage of such opportunities ;
- (c) if so, whether the Government proposes to reconsider their decision ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Leases for temporary cultivation in Government *rakhs* were not given gratis to anyone. Government have now decided to lease for the present only two or three *rakhs* by tender. Leases in the remaining *rakhs* will be granted as hitherto.

- (b) It is not possible to say who will secure the leases by tender.
- (c) Does not arise.

ELECTRIC TUBE WELLS.

625. Khan Bahadur Malik Muhammad Amin Khan : Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that the Agriculture Department have recently put down several small power-worked tube wells capable of giving as much discharge as two to four ordinary wells ;
- (b) whether there is a keen demand for such tube wells among the zamindars, particularly those farming in the neighbourhood of cities where electric current is available, but they cannot afford to have such tube wells due to the recent enhancement of fees charged by the Boring Department and the rule for the compulsory deposit of one-fourth cost in advance ?

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

(b) No.

SUGARCANE PRESSES AND SUGAR MILLS.

626. Chaudhri Shah Muhammad : Will the Honourable Minister for Agriculture kindly state—

- (a) how many sugar-cane presses and sugar mills are working in the province ;
- (b) how the capital of the Sonapat sugar-mill was raised ;
- (c) whether the Government is doing anything to promote the interest of agriculturists and to secure them good price for the sugar-cane crop ;
- (d) whether the Government has received any applications lately for registering associations and companies to start sugar mills in the province ;
- (e) how the Government is going to encourage the organisers of these mills ?

The Honourable Sardar Sir Jogendra Singh : (a) Government has no information as to the number of sugar-cane presses working in the province. Such presses are set up wherever cane is grown. Government does not consider it necessary to carry out a census of such presses for it may become out of date by the time it is completed. In the Punjab there are the following sugar factories which are governed by the provisions of the Indian Factories Act—

- (1) The Punjab Sugar Works, Sujampur, *vid* Pathankot (not now working).
- (2) The Punjab Sugar Corporation, Limited, Sonapat, District Rohtak.
- (3) Amritsar Sugar Mills, Amritsar.
- (4) Harkishen Das Sugar Mills, Amritsar.
- (5) Laxmi Sugar and Oil Mills, Amritsar.
- (6) Surat Sugar Factory, Lyallpur.
- (7) Lyallpur Sugar Mills, Lyallpur.

[Hon'ble Sir Jogendra Singh.]

(8) Muhammad Ismail-Maula Bakhsh Sugar Mills, Lyallpur (Registered in 1933).

(9) Hayatpur Sugar Factory, Bhalwal (district Shahpur). (Registered in 1933).

There are besides quite a large number of smaller factories and factories working by the open-pan system.

(b) A copy of clause 5 of the Memorandum of Association is placed on the table in this connection. The shares of the Sonapat Sugar Corporation have been allotted as under :—

		<i>Total paid up.</i>		
		Rs.	A.	P.
1,500 preference shares of Rs. 100 each in the name of the Punjab Government (fully paid up)	}	7,49,937	12	2
6,511 ordinary shares of Rs. 100 each				
(Total subscribed capital is Rs. 8,09,100).				

(c) Government is taking action under section 6 of the Sugar Industry (Protection) Act, 1932. A minimum price will be fixed for the cane to be sold at a sugar factory.

(d) The undermentioned companies have so far been registered during the current financial year :—

- (1) Ganga Sugar Corporation, Limited, Lahore.
- (2) Mohni Mills, Limited, Lahore.
- (3) Saraswati Sugar Syndicate, Limited, Lahore.
- (4) Phularwan Sugar and Oil Mills, Limited, Phularwan.
- (5) Bhalwal Sugar Mills Company, Limited, Bhalwal.
- (6) Amrit Sugar Mills, Limited, Amritsar.
- (7) Gujranwala Sugar Mills Company, Limited, Gujranwala.
- (8) National Sugar Factories, Limited, Sialkot.

(e) Assistance by Government will depend upon the nature of help required by the promoters.

Copy of clause 5 of the Memorandum of Association of the Sonapat Sugar Corporation, Limited.

5. The capital of the Company is Rs. 10,00,000, divided into 2,000 six per cent. non-cumulative participating preference shares of Rs. 100 each to be paid 10 per cent. on application and 90 per cent. on allotment, the holders of which shall be the Secretary of State for India through the Revenue Secretary, Punjab Government, or his nominees or assignees; and 8,000 ordinary shares of Rs. 100 each, 10 per cent. paid up on application, a further 10 per cent. payable on allotment, and subject thereafter to calls in accordance with the law applicable to companies limited by shares and the Regulations of the Company, and accordingly with power to modify the same and to attach rights, privileges and conditions thereto and to increase or reduce the capital.

Subject to the Regulations of the Company, out of the profits available as divided in respect of any financial year shall first be paid a non-cumulative preference dividend of 6 per cent. on the preference share capital; any balance thereafter shall be distributed to the ordinary shareholders until a dividend of 6 per cent. shall have been paid on the ordinary shares; any balance then remaining shall be divided amongst the preference and ordinary shareholders *pro rata* according to the amount of capital for the time being paid up on their respective shares.

STUDENTS IN GOVERNMENT COLLEGE AND THEIR AMUSEMENTS.

627. Chaudhri Shah Muhammad : Will the Honourable Minister for Education kindly state—

- (a) the average monthly expense in second and third years of a student in the Government College, Lahore, and living in the Hostel;
- (b) the average expense, which every student has to incur for his amusement in tennis clubs and cinema shows;
- (c) whether it is a fact that only 1st class matriculates are admitted in this college;
- (d) whether it is also a fact that students who come with a first class at the time of their admission from outside pass their degree examination in the 3rd division;
- (e) whether there is any check or limit over the students, which would desist them from seeing cinema?

The Honourable Malik Sir Firoz Khan Noon : I regret that the reply to this question is not yet ready. It will be supplied to the honourable member when ready.

TRACTORS IN THE AGRICULTURAL COLLEGE, LYALLPUR.

628. Chaudhri Shah Muhammad : Will the Honourable Minister for Agriculture kindly state—

- (a) the number of tractors in the Agricultural College, Lyallpur;
- (b) the total value of the implements and tractors, which have been purchased so far for the college;
- (c) whether there are any tractors which are not used throughout the whole year;
- (d) whether it is a fact that some of the tractors are kept for the purpose of demonstration and show, and they are not being used for agricultural purposes;
- (e) the yearly expense which is being incurred for the maintenance of this institution;
- (f) the net income of agricultural produce which is being reaped in the college farm;
- (g) whether there is any arrangement to enable zamindars to see the college farm and its working;

[Ch. Shah Muhammad.]

(h) whether it is a fact that the agricultural assistants do not deliver speeches in their *halqas* to make them understand the new methods ;

(i) what steps the Government proposes to remove this defect in their working ?

The Honourable Sardar Sir Jogendra Singh : (a) None ;

(b) Implements and tractors purchased are used for the Research Institute, the Farm and the College, and it is difficult to state separately the value of those purchased for the college alone ;

(c) Not at the college.

(d) No.

(e) The most recent information available is contained in the budget.

(f) About Rs. 10,000 roughly.

(g) Yes.

(h) No. They give lectures and demonstrations.

(i) Does not arise.

GOVERNMENT'S DEMANDS FOR GRANTS.

SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS (TRANSFERRED)—concl'd.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : Sir, I am grateful to my friend the mover of this cut. It is only with the active co-operation of the House and the Ministers that the development of the province can be carried out. Both the honourable member who moved the cut and the honourable member from Amritsar spoke of the usefulness and the possibilities of the work that the Joint Development Board could accomplish. Perhaps it will interest the House to note that the Joint Development Board when it was formed in 1927 immediately took up some important enquiries, and some of these enquiries have borne fruit. It appointed immediately a sugar sub-committee, and as a result of the enquiries and investigation of this sub-committee the Government assisted the formation of a company, which has founded a sugar factory at Sonapat. It is the first modern factory started in the Punjab on modern lines. In its earlier stage it did not do well. Now it promises to fulfil the promise which was held by the sugar sub-committee.

Another sub-committee, which was immediately appointed was the hosiery sub-committee. The result of the enquiries made by this sub-committee was that members who made the enquiries were convinced as to the possibilities of the development of the hosiery industry, and some of the leading members who worked on this sub-committee proceeded to Germany and brought back plants and established factories. Several lakhs worth of hosiery are being exported from Ludhiana for the last 2 or 3 years. At present the industry is suffering from depression, but the industry is maintaining its position. Factories have been established in Lahore, Ferozepur and other parts of the province and they manufacture good woolen articles. The hosiery sub-committee can greatly help in the improvement of cotton and silk yarn.

Another important sub-committee appointed by the Board was a committee to enquire into the commercial possibilities of using hydro-electric power. I have always hoped that the province, if it permits power to be used for luxury purposes only, would not benefit as much as it would if this power were utilized for productive purposes. This committee made enquiries which have not been completed as to how to use power in promoting industry. I hope this committee will study the question further and make concrete proposals, now that the hydro-electric power is knocking at our door. It is for the province to see that the power on the generation of which the province has spent crores is utilized for productive purposes in the real sense of the word.

The fourth sub-committee enquired into the adulteration of ghee, etc. Here again I am glad to report progress. Before this sub-committee was appointed a great deal of Banaspati ghee was imported into the province from abroad. As the result of the enquiries of this sub-committee the Government agreed to give a site to Ganesh Flour Mills to start manufacturing Banaspati ghee. The factory is now established at Lyallpur, and I am glad to see from the reports that it is making good progress. It has also helped agriculture, as in the Ludhiana district a new crop has been introduced. Monkey nuts were grown on a large area last year and the whole crop was purchased by the Lyallpur factory.

The fifth sub-committee, the weaving sub-committee found that the Punjab had 200,000 weavers using primitive looms. As a result of this enquiry I started a weaving school at Shahdara so that the people may be trained in the use and employment of power looms. The result was that 2 or 3 small factories employing power weaving machinery were established in the homes of a few enterprising persons. I think there are great openings in the Punjab for power weaving. On account of the fall in prices of cotton it would be a great advantage if an agriculturist can find a market—nearer home—and if they find markets nearer home, they will no doubt get better prices for their cottons. Better price cannot be obtained unless you have modern manufacturing facilities for weaving. We must seriously consider the use of hydro-electric power in promoting the establishment of power weaving in the Punjab. It seems to me, that if we are going to help cotton growers and our large population of weavers there is no other alternative than to assist in some substantial way the establishment of weaving industry in the Punjab.

The sixth sub-committee enquired into the possibilities of lift irrigation and I need hardly say that a careful survey was made of areas suitable for lift irrigation. I must confess that the United Provinces Government took up a scheme for generating hydro-electric power from canal falls, which was ruled out in the Punjab. They have taken up lift irrigation in all earnestness, and we can follow that example. The Irrigation Department sinks tube wells and works them by electricity and supplies water which people can purchase. I am sure there are tremendous openings in the Punjab for lifting water by electricity.

Another sub-committee was appointed to enquire into fruit farming. Here again I have to report good progress. In the Punjab, so far as fruit farming was concerned, the owners tried to plant all kinds of fruits without

[The Hon'ble Sardar Sir Jogendra Singh.]

any regard as to their commercial possibilities. But since the appointment of a special officer people are now beginning to consider fruit growing as a business, and are making money from this industry. A new industry to can and preserve fruit and to make juices has sprung up. They have also started canning of vegetables.

There is another sub-committee appointed to promote co-operative markets. This sub-committee was appointed, and Mr. Owen Roberts placed before this Board an illuminating article. At the present moment the producer has to sell his crop immediately, and does not get the price which he could have got if he were able to wait and place his crop in the market. By the establishment of co-operative marketing you can sell your crop on a profitable basis. After the colonization of Sindh we will have no port. We must therefore examine what markets exist in the country. It is an important problem and ought to receive our attention seriously. We ought to explore all possibilities of establishing markets in India itself. At the present moment we can send our wheat through Karachi to Calcutta and Bombay as the railway freight is against us to send these straight by railway.

The sub-committee to enquire into the industrial occupation for women and the poultry sub-committee have made little progress.

The tea sub-committee, however, made a good report, and I invited an expert from Assam, who visited the Kangra Valley and submitted a useful report. If we follow the recommendations of this expert, we can increase the output and improve the quality of our tea. But unfortunately we could not find funds for starting a demonstration farm on the lines suggested by the expert. I brought this report to the notice of the Imperial Council of Agricultural Research and asked them for money. They turned down our proposals. The Council said that it was a local industry and not an all-India industry, and therefore no funds could be given. There can be no doubt that the Kangra Valley tea can be greatly improved both in quality and quantity if the recommendations of this expert are carried out.

The Joint Development Board can become a really live body, if its members and the members of this House can give it a support that it deserves. At the present time, we must study the problem of finding markets for our agricultural produce and creating manufacturing facilities which can absorb our raw produce. We must create centres to bring producers and the markets together. As the House has shown so much interest in this matter, I shall appoint one or two more sub-committees to take a census of the production and consumption and study the markets, and re-examine possibilities of employing electricity for productive purposes. So far as I am concerned, I am prepared to accept this cut, but I hope the honourable member will not press it to vote as he and I are in full sympathy with the work of the Joint Development Board.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) : (Urdu): Sir, I am thankful to the Honourable Minister for Agriculture that he has put the whole matter so clearly before the House that I myself was not in a position to lay before the house in a better way. My object in

bringing forward this motion was to show that it was not expedient that such a beneficial institution as the Joint Development Board which owes its origin to the Honourable Minister himself should be done away with owing to lack of funds. The Honourable Minister has named several sub-committees which have done very useful work, and I need only refer to those which have not been mentioned by him. Whereas these committees have done a good deal for the improvement of industries they have also devoted attention to the betterment of agriculture. I should like to mention the sub-committee on the development of agriculture and agricultural department in the Punjab for the amelioration of agricultural conditions of this province. I know that the agricultural department has done a good deal of useful work, and its experts have brought forward certain useful changes in agricultural conditions, but much work as yet remains to be done. As far as the sum of Rs. 1,900 reserved for this purpose is concerned, I need hardly point out that it is altogether insufficient. We have to do many important things. We have, besides other things, to provide for the industrial occupation for women. It is necessary that the sub-committee appointed should make practical suggestions in this matter. Then there are so many committees already at work and we have to meet the expenditure of all of them. I, therefore, would urge with all the emphasis at my command that the amount provided for this purpose is totally insufficient. To devote Rs. 1,900 for such a useful work is quite meaningless. By providing this scanty sum you are practically wasting it. It would have been better if you had not devoted this amount at all. I understand that the Honourable Minister is thinking of appointing two or three more sub-committees. But I would say that there is no use appointing these sub-committees for it is clear that the money provided for this purpose will not meet the requirements of the province.

With these words I beg to withdraw the motion.

The motion was by leave withdrawn.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) (Urdu): Sir, I beg to move—

That the grant be reduced by Rs. 100 with respect to the item of Rs. 1,03,000, 47-D—Miscellaneous—Total Sikh Gurdwaras Tribunal.

Sir, my object in moving this cut is to invite the attention of the House as well as of the Honourable Minister in charge of the department to the fact that it is not advisable to make provision every year for the tribunal established under the Punjab Gurdwaras Act, 1925. It is not proper to show this expenditure as a new expenditure every year. If you intend to make this tribunal a permanent institution, make it so. I would also ask the Honourable Minister for Education to let the House know what duties the tribunal performs, how it performs and whether there is any check on it. As a matter of fact, there is some sort of check on every court in the province, for instance cases decided by ordinary courts are reported to the higher authorities. In the Memorandum of New Expenditure it is stated—

In view of the large amount of work still pending with the Sikh Gurdwaras Tribunal and the Joint-Secretary to Government, Punjab, Transferred Departments, the continuance of the Tribunal for the year 1933-34 will be essential.

[K. B. Sardar Habib Ullah.]

It is further stated—

It will thus appear that even if a large number of cases of all kinds which have still to be forwarded by the Joint-Secretary, Transferred Departments, are withdrawn or disposed of by compromise, there will still remain considerable work for disposal during the next financial year.

Then, would it not be better for Government to decide once for all whether this Tribunal is going to be a permanent institution or not? If they consider that there will be sufficient work for it in the future, let them make it a permanent one. Anyhow I am opposed to this expenditure being shown as a new expenditure year after year. My object in moving this cut is also to urge upon the Government the necessity of speeding up the work of the tribunal. By this, I do not mean to say that the tribunal is not working efficiently or that it is delaying the work entrusted to it unnecessarily. That is farthest from my mind. What I want to emphasise is simply this that there should be some sort of check on the tribunal. You may fix a time within which it should decide a given number of cases. In the absence of any such check it is possible that the work may be delayed to an indefinite period just as it happened in the conspiracy cases. I have got many Sikh friends, and consequently I know how they feel in this matter. People come to the tribunal to seek justice but they get it after a very long delay. It is a public grievance. Therefore if the Honourable Minister agrees to look into the matter I am sure he would save some money on the one hand and redress a public grievance on the other. With these words I commend my motion for the acceptance of the House.

Mr. President : Motion is—

That the grant be reduced by Rs. 100 with respect to the item of Rs. 1,03,000-47-D.—Miscellaneous—Total Sikh Gurdwaras Tribunal.

The Honourable Malik Sir Firoz Khan Noon (Minister for Education): Sir, the Honourable the Finance Member and myself are jointly responsible for supplying the honourable members with the necessary information with regard to this cut, because the judicial part of the tribunal is under my honourable colleague and the rest of the work of the tribunal concerns me. But I hope that I shall be able to give the honourable mover the information that he needs. The budgeted amount for the present Gurdwara Tribunal is Rs. 1,03,000. If there had been two gurdwara tribunals the money would have been just double. We had two gurdwara tribunals in 1931, but we had to retrench one of them owing to financial stringency. The number of cases disposed of by the single tribunal in 1926-27 was 350 in 1928, it was 435 in 1929, it was 578 in 1930, the number was 455 in 1931, the year in which there were two tribunals, the cases disposed of were 11,069, in 1932 with one tribunal 429 cases were disposed of while up to January and February of 1933 the total comes to 113. The total number of cases pending disposal with the tribunal up to the end of February 1933 is 1,155. And the number of cases which are to be forwarded by the Joint Secretary, Transferred Departments, to the tribunal is 759. The House will remember that not long ago an amending Bill was passed amending the Sikh Gurdwaras Act. Section 2 of that amending Act empowers the Sikh Gurdwara Parbandhak Committee to withdraw petitions lodged under section 7 of the Sikh Gurdwaras Act of 1925 at any time

before their publication. The result of the withdrawal of the petitions will be that there will be no counter petitions to be forwarded to the tribunal, and consequently there will be decrease in work. At present the Sikh Gurdwara Parbandhak Committee has withdrawn over 100 petitions. That measure was exactly to fulfil the necessity which the honourable member has pointed out, of expediting the work of the Gurdwara Tribunal. With regard to the delay which actually takes place in the disposal of those cases, we have, first of all, a judge of the High Court who is the President of this tribunal. He could be trusted to look to the needs of justice and to the speed with which the cases could be disposed of. One does not like in judicial matters where valuable rights in property are concerned to issue a request to a tribunal with regard to the speed at which cases should be disposed of. Not only will the judge of the High Court resent it, but it may also be objected to by the public on the ground that they want real justice and not only decision of cases quickly, because deciding cases quickly and deciding them wrongly is not what is really needed. Furthermore, the delay takes place because sometimes the High Court in appeal is considering a certain point of law, and the decision in a large number of other cases depends on the decision of that point of law by the High Court. Consequently the decision of cases before the tribunal may get delayed. But now that the High Court is also disposing of certain appeals from the judgments of the tribunal and the points of law are being decided that way, cases are likely to be settled quicker in the future than has been the case in the past. A serious cause of delay usually is the difficulty in getting the parties to bring their witnesses before the court. Sometimes they give very large lists of witnesses whom it is very difficult to serve with summons. Sometimes the parties themselves are interested in delaying the decision of a case, and they take good care that the witnesses are not properly served. But I am glad to say that the President of the tribunal has already issued instructions to senior sub-judges through whom the service of summons is usually effected requesting them to effect the service quickly and expeditiously. And in order to avoid any of the tactics employed by the parties themselves in delaying the decision of the case, the President has requested these sub-judges to have substituted service, that is to say, that in addition to the written summons which is sent to the parties concerned through a bailiff, the summons is also notified in the locality concerned by means of a beat of drum and written posters. This also is having its proper effect. In addition to this the President fixes an *ad interim* hearing before the actual hearing comes up so as to see whether the parties are really ready with the evidence or not. If the witnesses are not present, then the President directs the parties to try and bring the witnesses at the next hearing so as to decide the case quickly. If the honourable mover so desires it will be possible for us to forward to the tribunal the remarks that he has made in this House and point out the desirability of quickening up the decision of cases. But I may assure the House that everything possible is being done to expedite the matter, and no unnecessary delay is taking place. There is no intention of making the gurdwara tribunal a permanent institution. It is likely to continue only as long as there is work for it. The moment the work is finished there will be no need for it to continue and no money will be wasted on it. The only other alternative would be

[Hon. Malik Sir Firoz Khan Noon.]

to have a second tribunal. That I think under the present financial stringency, the honourable member himself will agree, will not be feasible, particularly when we know that this tribunal itself will be able to dispose of these cases not before a very long time.

Sardar Buta Singh (Multan division and Sheikhpura, Sikh, Rural) (Urdu): Sir, I would not have got up to speak on this motion but for the speech just made by the Honourable Minister for Education. He has said that under the Gurdwara Amendment Act, which was passed only last year, some 100 cases were withdrawn. That is right. But this was done only in cases which were not published in the *Government Gazette* and with regard to cases which were published and in which counter petitions were submitted no such law exists although some of the non-official Hindu and Sikh members of this House waited upon His Excellency the Governor to urge upon the Government the advisability of allowing these cases also to be withdrawn. If the House and the Shromani Gurdwara Committee desire to speed up the work of the tribunal we should be provided with facilities to do the needful. I am prepared to bring in another amending Bill for this purpose. I am president of the Gurdwara Nankana Sahib Local Gurdwara Committee, and as such I am in a position to say that we are thoroughly satisfied with the work of the tribunal. The President of the tribunal always tries to expedite its work and administer substantial justice. The present President, Mr. Justice Skemp of the tribunal, also tries his level best to administer speedy justice. There are yet about three thousand cases in which we would like the parties to compromise. I hope the Honourable Minister would realise the significance of this point and afford us an opportunity to gain this object. With these words I resume my seat.

Khan Bahadur Sardar Habib Ullah: After the explanation given by the Honourable Minister I do not want to press the amendment.

The motion was by leave withdrawn.

Khan Bahadur Sardar Habib Ullah [Lahore, Muhammadan, Rural]: Sir, I beg to move—

That the total grant be reduced by Rs. 100.

The Honourable Sir Henry Craik (Finance Member): On a point of order. I should like a ruling whether this motion is in order on this grant. I can find nothing in this grant which relates to uplift work in rural areas, and I submit that the honourable member's cut which urges the necessity of starting uplift work in rural areas and thereby incurring further expenditure is out of order. The honourable member could have raised the point on the general discussion of the budget, but I do not think he is entitled to raise it under this head which does not make any provision for rural uplift work.

Khan Bahadur Sardar Habib Ullah: May I draw the attention of the Chair to the three different items in demand No. 24—Scientific Department, Miscellaneous Department and Miscellaneous (Transferred).

The Honourable Sir Henry Craik: On what page?

Khan Bahadur Sardar Habib Ullah: On page 885.

The Honourable Sir Henry Craik : But you find the details on the next page.

Khan Bahadur Sardar Habib Ullah : You will see under Demand No. 24, on page 389, the item Books and Periodicals.

The Honourable Sir Henry Craik : I thought the honourable member said page 385.

Khan Bahadur Sardar Habib Ullah : That demand starts on page 385 and goes on to page 389 and further on. There, one of the items is Books and Periodicals.

Mr. President : The honourable member has every right to propose a reduction to suggest that expenditure under a certain head is insufficient and should be increased. But I am not sure that he is in order to propose a reduction motion to suggest that Government should create new heads and provide for new expenditure under those heads.

Khan Bahadur Sardar Habib Ullah : Am I to understand, Sir, that members of this House are not entitled to suggest that more money should have been spent on a particular item ?

Mr. President : Certainly the honourable member is entitled to suggest that, but what he is now suggesting is that there ought to be a new sub-head for the rural uplift work.

Khan Bahadur Sardar Habib Ullah : Rural uplift work means only propaganda work which consists of distribution of books and periodicals.

The Honourable Sir Henry Craik : May I point out that the item of Books and Periodicals which appears on page 389 refers, so far as I am aware, to certain scientific periodicals and books which are circulated in the Secretariat. It has nothing to do with rural uplift at all. It only refers to such papers as "The Economist" and "The Capital" which are studied in the Secretariat. May I also respectfully suggest to you that if the honourable member's object is to secure that money should be set aside for rural uplift, surely he should have made that suggestion in the general discussion of the budget at which he spoke at considerable length. His present motion is a substantive cut of Rs. 100 and not a nominal cut of Rs. 1.

Mr. President : A Rs. 100 cut is not a financial reduction, but the other objection appears to be sound.

Khan Bahadur Sardar Habib Ullah : If I understand that these books are meant for the Secretariat, is not that also an uplift work to educate the Secretariat ? (*Laughter*).

Mr. President : Has the Punjab Secretariat for which this uplift work is proposed become rural ? (*Laughter*).

The question is—

That a sum not exceeding Rs. 17,96,500 be granted to the Punjab Government (Ministries of Education, Agriculture and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1934 in respect of Scientific and Miscellaneous Departments and Miscellaneous (Transferred).

The motion was carried.

MISCELLANEOUS (RESERVED).

The Honourable Sir Henry Craik (Finance Member) : I beg to move—

That a sum not exceeding Rs. 8,34,600 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 1934 in respect of Miscellaneous (Reserved).

Mr. President : The motion is—

That a sum not exceeding Rs. 8,34,600 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 1934 in respect of Miscellaneous (Reserved).

Khan Bahadur Sardar Habib Ullah [Lahore, Muhammadan, Rural] : Sir, I beg to move—

That the total grant be reduced by Rs. 100.

My object in moving this cut is to draw the attention of Government to page 382 of the budget where under the heading Miscellaneous no amount is shown against the item water-logging assistant to the Financial Commissioner. I do not know whether the Finance Department have provided funds for the water-logging work under some other head. If so, well and good. If not, then I would draw the attention of this House to this omission and urge the importance of a provision for this important work.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Sir, if the honourable member wishes to raise this point now I have no objection. The waterlogging assistant is an assistant of the Director of Land Records and is in charge of girdawari work of *thur* and waterlogged areas. There is, however, no provision for research work under this head ; this is provided for under the Irrigation heads.

Khan Bahadur Sardar Habib Ullah : I would reserve my remarks for that time.

Mr. President : The question is—

That a sum not exceeding Rs. 8,34,600 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 1934 in respect of Miscellaneous (Reserved).

The motion was carried.

CAPITAL OUTLAY ON INDUSTRIAL DEVELOPMENT.

The Honourable Dr. Gokul Chand Narang : I beg to move—

That a sum not exceeding Rs. 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 1934 in respect of Capital Outlay on Industrial Development.

The motion was carried.

INDUSTRIES.

The Honourable Dr. Gokul Chand Narang : I beg to move—

That a sum not exceeding Rs. 11,88,300 be granted to the Punjab Government (Ministries of Local Self-Government and Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1934 in respect of Industries.

Mr. President : The motion is—

That a sum not exceeding Rs. 11,88,300 be granted to the Punjab Government (Ministries of Local Self-Government and Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1934 in respect of Industries.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Non-official; Nominated) (*Urdu*) : Sir, I beg to move—

That the grant be reduced by Re. 1 with respect to the item of Rs. 7,76,900, Total Industrial Education.

My object in moving this motion is to draw the attention of the Government to the fact that so far very little attention has been paid to the question of the spread of industrial education in the Muzaffargarh district. You will be surprised to learn that out of a big amount of about 8 lakhs of rupees only Rs. 500 are being spent on industrial education in that unfortunate district. I do not grudge other districts getting a lion's share of this grant, but what I want to say is that my district where there are possibilities of growth of industries, should not have been ignored in this manner. As you are aware, on many an occasion the Government members as well as the non-official members have expressed their sympathy with the people of this district both in this Chamber and outside and it has been admitted on all hands that the Muzaffargarh district deserves the help of the Government more than any other district. If that is so and if that sympathy is not merely a lip sympathy, now is an opportunity for the Government to open an industrial school in that district and thus to help the people in earning their livelihood. In this connection I may state for the information of the Government and the House that agriculture is not a paying concern particularly in these days and this is so especially in the case of the Muzaffargarh district. And the reason for this is that partly due to the natural conditions and partly due to the poverty of the people the tilling of lands alone cannot help to improve the sad plight of the people of that district. It is, therefore, necessary that with the improvement of agriculture steps should be taken to improve the industries of that district. And this can be done only if the people are given industrial education and are so trained as to develop on a large scale the industries of that district. I may as well say that literary education which is given in schools and colleges has not in any way helped these people to earn their livelihood. This education has at best increased as it is even now increasing every year the number of unemployed persons and it will, therefore, be more advisable and more reasonable if attention is now paid to spreading industrial education.

This industrial education is more necessary in these days to enable the rural population to take interest and to derive as much benefit as possible from the big schemes such as the hydro-electric scheme, which was opened only the other day by His Excellency the Viceroy. I have purposely said rural population because I know that in the towns and particularly in the big cities like Lahore and Amritsar there are many industrial factories and commercial concerns which afford ample opportunities to the urban population to receive theoretical as well as practical industrial education. But in the rural areas and especially in the backward districts like Muzaffargarh, such factories and concerns are nowhere to be found and in fact in these areas there are no financiers to start such factories. Therefore the people of these districts depend entirely on the help of the Government. I hope

[K. B. Mian Mushtaq Ahmad Gurmani.]

that these reasons will appeal to the mind of the Honourable Minister and he will readily accept this simple request which I have made by means of this motion. With these words I commend my motion for the acceptance of the House.

Mr. President : The motion is—

That the grant be reduced by Re. 1 with respect to the item of Rs. 7,76,900, Total Industrial Education.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) (*Urdu*): Sir, I am very glad that the honourable member from Muzaffargarh, whom I should congratulate for having taken upon himself the duty of ventilating the grievances of this district, has moved this out and has thus drawn my attention to this matter. But I may assure the honourable member that it is for the first time, at least so far as I am concerned, that such a desire has been expressed. So far I have come across no representation written or verbal either by the honourable member himself or by any association of the district or even from any local officer to the effect that it is necessary or even desirable to open an industrial school in the Muzaffargarh district. Up to this time I have been under the impression that the people of this district are so much engrossed in their ancestral profession of tilling the land that they have no liking for any other profession and, if at all, they have recently been attracted by the literary education given in the schools and colleges as a means of securing Government service. However as a desire has now been expressed for an industrial school in the Muzaffargarh district I shall ascertain from the Director of Industries whether it is really necessary to open such a school and if it is necessary whether the school should be opened at Muzaffargarh or at some other place in the district. I shall have also to consult the Finance Department whether it is possible for it to make a provision for this school and if these conditions are fulfilled I assure the honourable mover that I shall not hesitate to open a school in the district. I think this will satisfy him and he will not press his motion.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (*Urdu*): Sir, I thank the Honourable Minister for his expression of sympathy with the object of my motion, but I should like to tell him that I and in fact the people of my district are now almost tired of such pious expressions because they have had enough of this lip sympathy before. What we want is something tangible, something that will really satisfy us. It is really strange that the Honourable Minister should say that he will make enquiries and ascertain as to whether it is really necessary to open an industrial school in my district as if what I have said is not sufficient to carry conviction. The opening of this school in my district is really necessary and I am sure that if the Honourable Minister, who happens to be a very capable man and who has the courage of conviction, tried in right earnest to open a school as desired, he will have his way. I am confident that he can easily persuade the Finance Department to make a provision for this school. However as the Honourable Minister has given a definite assurance I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Khan Bahadur Mian Mushtaq Ahmed Gurmani (Non-official, Nominated) (*Urdu*) : Sir, I beg to move—

That the grant be reduced by Re. 1 with respect to the item of Rs. 16,700, Total Industrial Development.

It is hardly necessary for me to say that in moving this out my object is to urge the necessity of making an industrial survey of the Muzaffargarh district. That there is such a necessity is apparent from the fact that there are great possibilities of industrial development in the district and these possibilities can be explored only after the proposed industrial survey is undertaken. Without such a survey it is no use making any proposals for improving or promoting the industries of the district. As an example of the industries that can be encouraged and promoted I take *munj* which grows in abundance in that district. It will interest the honourable members to learn that my younger brother has opened a *munj* mat factory in the district and has thereby given employment to many persons including those who came out of jails and who would have again tried to go to jails if they had not been thus employed. This *munj* mat factory has been supplying mats to many a school in the Multan division and it will be no wonder that if similar other industries are developed there will be found very few persons in the district without employment. Date-palm is another product of the district which offers great possibilities of improvement. I understand that sugar of a very superior type can be prepared out of these date-palms and, if that is so, I think it is time for the Government to encourage the people to make the best use of these date-palms. At present the people of this district being very poor and having no knowledge of how they can make the best use of this useful product, either eat them away or sell the date-palms at a very cheap rate of say one rupee per maund. As the honourable members may be aware the leaves of the date-palm trees can also be made use of in manufacturing beautiful baskets and similar other things. Muzaffargarh district or at least one of its tahsils is famous for very beautiful and durable *khes*, but it is a pity that this industry has so far remained undeveloped and its condition is the same as it was 50 years before. There are many other small industries which can be developed and the province can be made richer by their development, but this can only be done if industrial survey is properly carried out. I have, therefore, taken this opportunity to request the Honourable Minister to pay his special attention to this matter and to undertake the proposed industrial survey as early as possible. I hope that it will not be very difficult for the Minister to accede to this simple request. With these remarks I move the motion.

Mr. President : Motion moved—

That the grant be reduced by Re. 1 with respect to the item of Rs. 16,700, Total Industrial Development.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) (*Urdu*) : Sir, in regard to this motion I may inform the honourable mover, if he is not already aware of it, that there used to be an industrial surveyor for the Muzaffargarh district also with his headquarters at Multan, but for want of funds his post was retrenched. But it should not be understood or rather misunderstood that this district has been left to its fate so far as industrial survey is concerned. That is not the case and I may assure

[The Hon. Dr. Gokul Chand Narang.]

him that Government is as solicitous of the welfare of the people of this district as of any other. And if I may say so, I am prepared to appoint a competent person to that post if the House is prepared to sanction that post again. But even under the circumstances this district has not been ignored and it has been placed under the charge of the Industrial Surveyor at Lahore. I think, although I am not sure, that the industrial survey of the Muzaffargarh district has already been completed and that the Director of Industries has collected all the information about the industries that can be promoted in that district. And if the industries of this district have not developed according as the honourable member desires it is not because the Department of Industries has not the information regarding these industries available but more so because, as I think, the people of that district are too poor to undertake to develop these industries and also because there are very few persons there having the power to purchase things prepared or manufactured there. However, if there is anything left to be desired in the industrial survey of the district I shall ask the Director of Industries to depute the Industrial Surveyor posted at Lahore to undertake this work and to remain in the Muzaffargarh district for one month or two months or even for three months if necessary to finish the work. I make this promise to fulfil it and I am sure that the honourable member will have no occasion to complain so far as I am concerned that promises are made but they are not carried out. At the same time I do hope that the honourable member will not content himself with making this motion. He will not only see that the industrial surveyor is well entertained (*laughter*) but that he is afforded every help to complete his work.

Sardar Buta Singh : What does the Honourable Minister mean by saying that the Industrial Surveyor is very well entertained ?

The Honourable Dr. Gokul Chand Narang : It cannot mean anything else but that proper arrangements are made for his boarding and lodging because there are no hotels in that part of the province. I think after the assurance I have given the honourable member will not press his motion.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Urdu) : Sir, I assure the Honourable Minister that the industrial surveyor will be very well entertained and he will be given every help to complete the work he may be entrusted with. As he has given an undertaking to do what I desire I beg leave to withdraw the motion.

The motion was by leave withdrawn.

Mian Nurullah (Lyallpur South, Muhammadan, Rural), (Urdu) : Sir, I beg to move—

That the grant be reduced by Re. 1 with respect to the item of Rs. 8,94,600, Industries.

The object of this cut is to discuss the circular letter which was issued by the Inspector of Industrial Schools in September 1926. The circular letter reads as follows :—

"I observe that certain headmasters are still in the habit of submitting original letters from their assistants or public which are generally in Urdu as a result of which a lot of difficulties have been experienced in their translation into English. It is, therefore, ordered that no letter either from assistants or from public should in any circumstances be sent to this office in Urdu in future."

It appears from the language of the circular that it was intended to prevent the use of Urdu language. Now it is hardly necessary for me to say that Urdu is the common language of our province. It is easily read and understood by all. It is also the easiest medium for the people of this province for expressing their views. This is also the language of all the lower courts in the province so much so that all the business in these courts is transacted in Urdu. Even the head of the province entertains application in Urdu and so far he has not thought it fit to issue such an order. I wonder why the Inspector of Industrial schools went to that length. I should think that by issuing this order the Inspector—though unwittingly—discouraged not only the use of Urdu language but also the public from having anything to do with the Department of Industries or from taking any interest in its activities. In a way he was guilty of making a propaganda against the department.

The Honourable Minister will be aware that almost all the teachers in the industrial schools and particularly the craft teachers are not every well read. Many of them do not know a word of English. Similar is the case of the assistants and I do not think that even the headmasters can be expected to translate applications received in Urdu into good English because as I understand most of them have studied only up to the matriculation standard. For the Inspector this difficulty is not insurmountable as he having his office at a central place, can have the services of good translators. As for the public I am sure that its members who have anything to do with the department, must be feeling a lot of difficulty and inconvenience on account of this circular. The number of English knowing persons in the Punjab, I mean those who can translate a piece of Urdu into good English, does not I think exceed 5 per cent. of the whole population.

The Honourable Captain Sardar Sir Sikander Hyat Khan : The number of such persons is hardly one per cent.

Mian Nurullah : That aggravates the situation and I am sure that the public must have to pay these translators at a very high rate and if in these expenses are included the expenses of typing, etc., the bill for sending one application to the Inspector must be very high. This is unjust for the general public and the welfare of the public demands that this circular should be at once withdrawn. I quite fail to see why in a province like this such orders should have been issued. The people have begun to ask and many have asked me to move a resolution in the Council to the effect that in future the business of the Council should be transacted in Urdu. It is for this reason that I am trying to accustom myself to expressing my views in Urdu. But that is by the way. What I mean to say is that there is no justification whatever for the order that was issued by the Inspector of Industrial Schools and I hope that the Honourable Minister will see the wisdom of the proposal and withdraw the circular at once. I may, however, warn him that if he does not accede to this request discontent is likely to prevail and it is further likely that there might arise a storm of opposition. I hope the Honourable Minister will not like to create unpleasantness. And if even after this the circular is not withdrawn I hope the House will pass this out and thus condemn the circular in question.

Mr. President : Motion moved—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 8,94,600, Industries.

Shaikh Abdul Ghani (West Punjab Towns, Muhammadan, Urban), (Urdu) : Sir, I do not think that the Inspector of Industrial Schools had issued this circular with a view to attacking any language or even to encourage the use of the English language as the honourable member appears to think. It will be agreed that that could not be the motive working behind this circular and I do not think we should give this matter so much importance. However, I agree with the honourable mover that some change is called for in the language of the letter and if instead of the word 'ordered' used in the circular the word 'desirable' is substituted, no objection will be taken to the circular in that case and I think it will not be very difficult for the Honourable Minister to do.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : Sir, I rise to support the motion not only on the ground mentioned by my honourable friend but on the ground that it is undesirable to issue such orders that all correspondence should be in English. These people who work in industrial schools have an ordinary education and it is not possible for them to write good English. My honourable friend, the Revenue Member, said that there may be only one per cent. who cannot write in English. But I say that there may be only one per cent. who can write good English or express their ideas well in English. Sometimes they cannot convey their full meaning in English. I do not of course agree with the mover that any amount of such things would discourage Urdu language. Urdu language is well established and such orders cannot and will not interfere with the spread of Urdu or Urdu being recognised as the *lingua franca*. I think this order appears a bit ludicrous. Perhaps the writer of this letter had those lines of Akbar in Urdu which are well known to honourable members :

بقول نے کہدیا چل ہٹ تجھے ہڈی نہیں آتی
مسنوں نے کہدیا جا تجھکو انگریزی نہیں آتی
مگر اکبر کہ اب تک سر رہا ہے ان حسدوں پر
قیامت ہے کہ بے غیرت کو شرم اب بھی نہیں آتی

Or perhaps the feelings of the teachers may well be expressed in Persian verse—

زبان یار من ترکی و من ترکی نے دافم
چہ خوش بودے اگر بودے زبانش در دھان من

I think this circular letter is a hardship on the headmasters. My honourable friend from Sargodha has suggested that the order might be modified to say that it is desirable to write in English. I think it should be amended like this : that any one can make his request either in English or in Urdu. When there is a clear order that even judgments may be written either in English or in Urdu under the Criminal Procedure Code, I do not see why there should be this compulsion in a department which is just in its infancy. From that point of view I think this circular should be cancelled. I have no doubt that the Honourable Minister will see the unwisdom of this circular and will not give rise to any sort of communal idea as my honourable friend from Sargodha has suggested. With these words I support this motion.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government): It is rather strange that a circular which was issued in 1926 nearly six-and-a-half years ago should have been unearthed now and objection taken against its language after such a long time. However, the question has been raised by the honourable members and I think it might be discussed. In the first place before I go into the merits of this one I just want to draw the attention of the honourable members of this House to a grievance which the Industries Department has against the divulging of what may be considered as confidential correspondence and I think that the honourable members should help every Government department in the interests of discipline and see that no confidential correspondence is divulged without any urgent necessity. (*Hear, hear.*) (*A voice: Was it is a confidential letter?*). I do not know whether it was marked confidential, but the Honourable Financial Commissioner just tells me that all correspondence between officers of Government is confidential unless it is published and this letter I understand was addressed to the headmasters and was intended for their information. There is not the least doubt that this has been divulged by some headmaster who had probably some grievance of his own other than the demerit of this circular which really should give rise to no grievance. The merits of this circular should have been considered time barred on the analogy of ordinary law of limitation. Where no limitation is provided time limit imposed is six years and this circular is older than six years and no objection should have been taken against it. I am referring to this matter because the complaint has been growing more and more serious every day particularly in the Industries Department and I think not only should such a thing be not encouraged, but it should be positively discouraged and the honourable members of this House should co-operate with the heads of departments that discipline is maintained. So far as the merits of this circular are concerned, the honourable member from Sargodha is perfectly right when he says that the then Inspector of Industrial Schools Mr. Lionel Heath could not possibly have anything in his mind by way of discouraging the use of Urdu or encouraging the use of any other language. He is a European and probably he wanted that every letter that comes from his headmasters should be read by himself if possible so that he might be in direct touch with his headmasters and might be in a position to know the contents of each letter first hand. It was probably one of the motives which led him to issue this circular. Another reason might have been the difficulty of translation in his office. There are quite a large number of industrial schools in the province and even if one letter comes every day from each school in Urdu it means there would be 30 or 40 Urdu letters in his office.

Chaudhri Allah Dad Khan: He must learn Urdu.

The Honourable Dr. Gokul Chand Narang: So long as you have to deal with people who do not know Urdu you must look to their convenience because their time would be wasted and if officers' time is wasted money of the province is wasted. If you insist upon this that letters should keep pouring in in Urdu from all schools—I think this debate might promote the use of Urdu and might lead to an increase in their number—the result would be that in a few weeks a requisition would come from the Inspector that he wants two or three more clerks who should be

[The Hon. Dr. Gokul Chand Narang.]

knowing Urdu and should also know English well so that all these letters received in vernacular whether in Gurmukhi, Hindi or Urdu may be translated before they are placed before him. This difficulty was probably present before his mind and it was in an entirely *bona fide* manner that he issued this circular for office convenience and not with any other motive. If you want that this letter should be withdrawn I am positive that a requisition for an additional staff in the Inspector's office would come. If one letter comes from each school it is not very difficult for the headmaster to translate it, I know it from personal knowledge that all headmasters know English at least in schools which I have visited and I have visited a large number of them, but fancy the Inspector or the Inspector's head clerk having to translate twenty letters a day before they can be placed before the Inspector. I think this circular should be allowed to stand, if necessary, with a little modification on the lines suggested by the honourable member from Sargodha so that all misunderstandings may be removed so that no headmasters or any of their sympathisers should remain under the impression that it is a check on Urdu. I have no doubt that when Inspector's attention is drawn to this he would make suitable change in the circular to remove that misunderstanding. This is all I have to say and I think on this assurance the honourable member would withdraw this cut. The assurance is that the attention of the Inspector of Industrial Schools will be drawn to this circular and to the debate that has taken place in this House and he would be asked to modify the language of the circular in such a manner as to remove all misunderstandings which might have arisen in certain quarters that it was a check on the use of the Urdu language.

Shaikh Muhammad Sadiq (Amritsar, Muhammadan, Rural) (*Urdu*) : Sir, the honourable mover never meant that the issuing of the circular letter was directly or indirectly an attack on the Urdu language. He only meant that it was difficult for the assistants of headmasters to get their applications written in English. The Honourable Minister started defending the circular letter. He said that as there was a good deal of correspondence in Urdu it was difficult for the Inspector to get all of it translated into English in order to understand it. It would have been better if the Honourable Minister had simply given an assurance that the letter in question will be cancelled for the convenience of the assistants of a headmaster. Correspondence with the Inspector of Industries in English means a good deal of botheration for the subordinates of a headmaster. First of all, they are required to get their letters which are usually in Urdu translated into English by paying some 8 annas to a translator. Then if the English translation is wrong its meaning is likely to be misunderstood and thus there is a likelihood of its undergoing some further trouble. Hence it is necessary that these assistants should be allowed to write their applications in Urdu and the staff of the Inspector of Industries can translate them into English for the convenience of the Inspector. In all the other Government departments the officers depend upon their staff for such work. The officers who are so highly paid should be made to learn Urdu in order to understand the meaning of the applications or letters which they receive from their subordinates. The recommendation made by my honourable friend Shaikh Abdul Ghani in

this connection is a very reasonable one and should be accepted. In all the departments the correspondence is carried on in Urdu. The letters which are received by a Deputy Commissioner are in Urdu and the staff working under him translates them into English. Even the written complaints made to the High Court are made in Urdu. The High Court gets them translated into English. The same should be done so far as this department is concerned. At the most a translator can be employed for this work. It will involve an extra expenditure of about Rs. 40 a month.

The Honourable Minister has said that a copy of the debate on this subject will be sent to the officer concerned to be read by him and to decide what should be the better course for him to adopt for the future. The officer concerned is our employee. It is not for him to decide what course he should adopt in this matter for the future. The said officer when he will read the speech of the Honourable Minister will be guided by it and not by what we have said on this point. He will attach more importance to the Honourable Minister's speech which is more or less in favour of continuing the present system. The Minister should decide this matter himself.

Then, the Honourable Minister has said that such correspondence is confidential and that the honourable members should help the Government in keeping it from leaking out. In the letter it is stated :—

That some headmasters are still in the habit of submitting letters from their assistants which are generally in Urdu.

Now this is a letter containing an instruction for the general information. All the headmasters are required to note it. Such an instruction cannot remain confidential because it is for all concerned. Take the case of a school boy. He writes an application in Urdu using such phrases as—

” ایک ستارہ آسمان ترقی پر آفتاب درخشان کی طرح چمکے ”

Now how are you to translate it into English. Even if you translate it, the translation will look ridiculous.

Mian Nurullah (Urdu) : Sir, by moving this out I had no intention to attack the *bona fides* of an officer. The Inspector of Industrial Schools issued this letter probably for the sake of convenience of his office for there are no translators to translate such correspondence. By bringing forward this out I wanted only to urge that at present there is no need of this letter. The industrial schools are definitely vernacular schools and for these schools the use of Urdu for correspondence is necessary and in no case should be prohibited. The Honourable Minister said that this letter was issued some six years back and it is now that it has been brought to the notice of the Government. This only shows that this was an irregularity which was allowed to continue. Things or movements that are suppressed come out with a burst. During the last session about 50 or 60 questions were asked of the Honourable Minister for Local Self-Government and all these questions related to the Department of Industries. This means that something was wrong with it somewhere and the irregularities of this department were suddenly laid bare after they had become so numerous that it became impossible to keep quiet over them. So long the Honourable Minister is not prepared to give an assurance to the effect that this circular letter will be cancelled. I am not prepared to withdraw my motion.

The Honourable Dr. Gokul Chand Narang : I have already said, Sir, that the language of this circular will be modified in such a manner as suggested by the honourable member from Sargodha. The honourable member from Amritsar did not hear me. I think he was just then thinking of what he was going to say in his speech, because he has not spoken since this morning. Sir, what I said was in effect that the modifications will be made in that circular on the lines suggested by the honourable member from Sargodha.

Shaikh Muhammad Sadiq : I did not catch it.

The Honourable Dr. Gokul Chand Narang : He was otherwise busy and did not listen to what I said. In any case that is what I said.

Mian Nurullah : In view of the assurance of the Honourable Minister I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural), (Urdu) : Sir, I beg to move :—

That the total grant be reduced by Rs. 100.

Sir, the purpose with which I have moved this cut is very important and I am sure that honourable members as well as the Government will give their attention to it. Sir, in every other country of the world the things made or manufactured are shown to the people by holding exhibitions. But here the Government has never given attention to the importance of holding such exhibitions. Some times private persons have held such exhibitions on occasions of religious ceremonies or political gatherings. But so far as the Government is concerned it has never considered the advisability of holding such exhibitions in order that the people may know what things are manufactured and made in their own country, at what price they could be had and from where. In countries like Germany France and England such exhibitions are held separately for each industry. For example one exhibition will be held simply to show the agricultural produce and another to show the things made of milk or flour or some other similar thing. Then they also hold general exhibitions in which they show all sorts of things, made in the country.

By exhibition all people irrespective of their ages derive a good deal of benefit. A child as well as an old man can know what things are prepared in the country and at what places and at what price they are sold. The purpose of the cut which was moved by the honourable member from Muzaffargarh was also the same. If he wanted to urge the necessity of making industrial survey of his district it was in order to find what possibilities there are for the development of the industries of that district.

It can be said that at this time of such acute economic depression it is difficult to find money to hold such exhibitions. But our budget is a balanced budget. In normal years our income was about ten or eleven crores. This year the income shown is nearly the same. Therefore, there is no reason why the cut in the expenditure of different beneficial departments should not be restored. To supply funds to the beneficial departments for such and other purposes as the present one is not difficult. Sometime back the Director of Industries was asked to submit an estimate of the expenditure of holding an exhibition. He estimated the cost of

holding an exhibition at Rs. 60,000. The estimates of receipts on this were calculated to be Rs. 40,000. It means Government will have to spend only Rs. 20,000 for holding an exhibition. It is not difficult for the Government to find this sum for a useful work. Let it make provisions for holding such an exhibition for two or three years. Let it make experiments whether an exhibition can be made successful or not. If after experimenting for two or three years the Government finds that there is no advantage in holding it let it discontinue the practice but if it finds that they are useful as well as profitable then let it make a permanent arrangement. The Government will get Rs. 10,000 out of the buildings alone, thus the total deficit on the exhibition will be reduced to Rs. 10,000 only. If you spend this sum of money for such an important thing, it will certainly not amount to a burden on your budget. Moreover, I would like to point out that I have not made

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my demand exclusively for an industrial exhibition but I want to have an agricultural exhibition as well. Sometimes ago such an exhibition was held in Lahore where industrial and agricultural exhibits were placed side by side. These exhibitions are beneficial in many ways. The people who visit them can form a true conception about the respective utility of various commodities. Even now-a-days the Government makes arrangements for the exhibition of modern agricultural machinery and other implements on the occasion of cattle fairs; and we all know that it proves highly useful in the way of acquainting the illiterate agriculturist with the improved methods of agriculture. But if arrangement were also made for the exhibition of industrial articles on these occasions it would go a long way to popularise our industries. Furthermore, if arrangement is made for public lectures on agricultural topics at the time of these exhibitions it will prove of immense benefit to the uneducated zamindars. I hope that the Honourable Ministers for Agriculture and Local Self-Government will work hand in hand and their united efforts will result in the holding of a grand industrial and agricultural annual exhibition, this year.

Mr. President : Motion is—

That the total grant be reduced by Rs. 100.

The Honourable Sardar Sir Jozendra Singh (Minister for Agriculture) : Perhaps it will interest the honourable member to know that more than once the question of holding an exhibition was considered by me. In fact, I added a gallery to the museum with the object of displaying all our agricultural produce and manufactured articles in it. This gallery was, however, otherwise utilised. I can certainly say, that, I feel, that there can be no better way of bringing together the merchants and the producers, than holding exhibitions. The main difficulty so far has been to find funds though, I have considered the stark necessity of the province is its development. I agree with Hafiz.

ہنگام تنگ دستی در تیش کوش و مستی کلان کیمائے دستی قارون کند کدا را

In my review of the Agricultural Report for 1929-30 I said :

Indeed in these days of depression, the Ministry holds that the stark necessity of the province is to intensify work in all the beneficent departments. One promising remedy to remove financial stringency lies in the organisation of agriculture and in adding to the prosperity of the people. It must be recognised that the organisation of co-operative credit, manufacture of raw produce and marketing are all subsidiary to agricultural production.

[The Hon. Sardar Sir Jogendra Singh.]

It is a happy sign of the times, that in the present session, members have given their attention to the primary problem of development. There is no other way to relieve poverty and unemployment than to concentrate our attention on development of all our resources. The agriculturist must produce and the manufacturer must turn the raw product of the agriculturist into manufactured article. The manufactured article must find a merchant to sell it. Therefore unless we have an exhibition or provide some other facilities where goods can be exhibited, which have been manufactured, we cannot secure a good market. The honourable member from Muzaffargarh pointed out, not long ago, that there were certain things made in Muzaffargarh. I know some beautiful work is done there. I know very good ivory work is done in Sahiwal, a remote place, in Sargodha District. This artistic work by people scattered all over the province remains unknown and unorganised because we have failed to bring the produce and the purchaser together. We do not bring to the notice of the manufacturer, the kind of designs which are being sold by the merchants in the towns, and are finding favour. We must bring the producer, the merchant and the purchaser together so that the manufacturer may know his market and the merchants from where to obtain the goods. An annual exhibition or a permanent exhibition of goods would therefore have a great value.

Shaikh Muhammad Sadiq [Amritsar city, Muhammadan, Urban]: We must all heartily welcome this cut which has been proposed by my honourable friend over there. When any one wants to hear promises, big talk, loud talk and tall talk, about industries, let him come to the Punjab Government. We always hear such things here. When it comes to practical things, then there is the Finance Department with scissors in hand cutting down all that is useful for the Punjab industries. For instance we have heard a beautiful speech from the Honourable Minister. If what he said is going to materialise, if the Finance Department is going to give us help, then I can see that all that has been said is useful. But if the Honourable Minister is not speaking with the Finance Department at his back, I ask what is the use of this general talk? So far as I can see, the Honourable Minister has not uttered a single word about the attitude of the Finance Department. The whole debate to my mind is therefore useless.

In regard to our industries I think we should follow the example of countries like Germany, Czecho-Slovakia and England. What do we find in Germany? There is a big fair, the Leipzig fair held twice a year and it is visited by hundred to hundred and fifty thousand people. At least ten or twelve thousand firms exhibit their goods on the occasion. The fair must be doing the country immense good for they have been continuing it for the past fifteen or twenty years. (Mr. F. H. Puckle: Is the Leipzig fair a Government fair?) I am coming to that. What about the London fair? It cannot be denied that the British Government is helping the English industries. At the time of the fair the British Government guaranteed that if there was loss to any one, to the extent of more than two per cent. the Government would make good the loss. If the Punjab Government similarly come forward with an offer the exhibition will be an undoubted success here. The same is the case with other countries where industries have made rapid progress. In the initial stages

Government has helped industries in all countries. In India where at present there is not much of industrial life it is the duty of the Government to give liberal help to starting industries. The theory which we hear often repeated in public that England does not help or protect her industries is wrong. I know it for a fact that if any municipality here purchases a Morris truck, the Government gives on each such truck sold here a grant of 15 per cent. to the Morris company. Is there any industry in Germany which was not started with Government help. None. If one reads the industrial history of Germany one will find that all the indemnity that Germany received after the Franco-German War was spent for the fostering of German industries. Why should Government feel shy in this country? Let Government erect a building for the exhibition, say at a place in the fort. Plenty of land is lying idle there. Where there was once a palace there is nothing but rodents at present. If that land with its historic background and plenty of space serves as the site of an exhibition house which will be a permanent affair we can make a good beginning. Government should further guarantee the people $4\frac{1}{2}$ per cent. interest on their outlay. If the collections realised do not yield them as much as that, Government should make good the balance. With such a guarantee enough capital will be forthcoming and the Government will not be called upon to pay any heavy sum. Moreover, it is only by encouraging the industries in this way that you can develop the revenues of the province. When, as the Minister of Agriculture feared, the produce is so low in the province the only way is to try to keep all money in the Punjab with the Punjabis. At present you find money is slipping away out of the province and in course of time there will be no money left in it. It will then be difficult for Government even to collect their taxes. My honourable friend from Muzaffargarh was telling me that they had *dal* which was selling at Muzaffargarh at Re. 1 a maund. Here it is selling at 4 annas a seer and the *dal* is got from Besrah. If there is some kind of co-ordination I am sure that the Muzaffargarh product could be sold in the Punjab at prices acceptable to the people. But the question is, how is the poor man at Muzaffargarh to advertise his goods. The first question is that of propaganda. The best way of doing propaganda is by an attractive exhibition every year. In fact it may be all the year round. There is no harm. Government will not lose anything and merchants will be coming forward who will rent the stalls for the whole year. If the building is there permanently it can be put to use in several ways and there is no necessity of building one every year. Let there be a permanent building for the province erected at a cost of four or five lakhs of rupees. I am sure that the example of Kashmir will serve as an encouragement. The exhibition at Kashmir was a great success. Government made much money over it. When the exhibition ended, the building was allowed to remain and when the *mela* or *tamasha* came to a close the building was as it were got free for the Government. We hear that there was such a rush that the prices realised were thrice the average in the ordinary season. If, for instance, in the ordinary season they could have sold one unit, they sold three units in three weeks and in fact the demand of the public was that the exhibition be extended. But since His Highness was coming and that being a State affair, they had to close the exhibition. I hope the Honourable Minister during his regime will at least inaugurate a useful measure on which the prosperity of the

[Sh. Muhammad Sadiq.]

Punjab depends. The belief that Government are not coming to the aid of industries in England is wrong. Government everywhere are helping growing industries. For instance I was told the other day by the Principal of the Hailey College of Commerce that people were coming on Italian liners at the cost of Government. If the cost of passage on any Italian liner was, say £ 50 from Venice to Bombay and the actual expense incurred by the shipping company was £60, the difference of £ 10 was being paid by the Italian Government as a subsidy. The French Government are doing the same thing on the Paris Mediterranean liners. The French Government guarantee a certain percentage of income to the shipping companies.

I have a cut motion with a view to help the industries of the Punjab I hope my cut will be accepted. Government spends lakhs of rupees in certain items. It is going to spend 56 lakhs on building an extra power house in connection with the hydro-electric scheme, yet it will not sanction a much smaller amount on industries. I think the only way to encourage industries is to hold an exhibition, and I hope Government will agree to give this small amount for propaganda work for the development of industries in the form of an exhibition.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) : Sir, let me at once say that I entirely agree that the motion that has been made is sound in principle and I have not the slightest hesitation to accept this principle. The honourable members probably are aware that when I have been speaking from other seats in this Council than the present one I have always been emphasising the importance of the development of industry. I, in fact, pointed out so far as I can recollect that out of the total budget of the province only about half a pice per rupee is spent on the industries of the province. This is certainly not a state of affairs which can by any means be called reassuring or satisfactory. The Punjab is mainly an agricultural country but a country which depends entirely on agriculture can never be self-supporting and can never be sure of meeting all its wants and of successfully tiding over times of difficulties. There must be a combination of other industries with agriculture, otherwise neither of them would be complete. A great deal—I speak comparatively—has been done as pointed out by the honourable member from Amritsar for the protection and development of agriculture but unfortunately it has not been possible for the Government to devote the same attention and expense to the development of industries in this province, and I am very glad indeed that honourable members of this House have now realised the importance of the development of industries and it gives me all the greater pleasure that these cuts have come from the rural Unionist Party. It is a sign of the times that they have now begun to realise that there must be a close union between agriculture and industry and I hope they would also realise that there ought to be a close union and co-operation between the rurals and the urbans themselves (*hear, hear*), because they are a complement to each other and neither can be self-sufficient and both depend upon each other for their needs and wants. So far as this particular cut is concerned, honourable members are probably aware that only the other day we discussed this particular question in a meeting of the Standing Committee on Industries. The Director of Industries placed before us certain estimates

of expenditure and income both in case the exhibition was to be a temporary one and in case it was to be a permanent one. So far as the principle is concerned it was approved. The only question is how to find the money. Now it has been pointed out that there is no financial stringency as shown by the budget. But honourable members are probably aware that this budget has been balanced with great difficulty and by practically closing all avenues of development. Practically nothing has now been provided for in the present budget for development and it is in this way that the budget has been balanced and shows a little credit balance. But in case the normal expenditure is resumed without waiting for better times the Finance Member will find it difficult to balance the budget, but so far as I am concerned and I have my honourable friend's assurance and co-operation on this point. I mean the Honourable Minister in charge of Agriculture—our sympathies are entirely with the motion that has been moved in this House. The money is not in our hands. Some compliments were paid to me by certain honourable members for some supposed strength I possess. But strength is also comparative. You find stronger people and then you are weak. All that we can do is to point out the necessity and importance of the development of industry and approach the Finance Department to make some provision by any device that they may think of to provide a larger amount for the development of industry and particularly to find this little sum of Rs. 60,000 estimated to be the cost of temporary exhibition. For the permanent exhibition an estimate of Rs. 1,70,000 has been made. This will I believe suffice for this purpose and a great deal of it, if not the whole of it, would be recouped from the income derived from the leasing out of stalls and by the gate money that Government may receive from the visitors who come to see the exhibition. I cannot say anything further because it is a thing which requires further deliberation not only by a single member of the Government but by the whole Government combined because all sorts of aspects of the question have to be considered. The Council has never directed its attention to one point and I may venture to make a suggestion. I am not aware if a deliberate and serious attempt has ever been made to revise the various heads of expenditure and to see whether it is not possible to make a readjustment of the allotments *inter se*. If the honourable members of this Council devote their attention to this question and the Secretaries of the various department of the Government also devote their attention to this question it is possible that a *modus vivendi* might be found by which the allotment for certain heads of expenditure which are considered more important than others might be increased while the heads of expenditure for certain other purposes which may not be considered of paramount necessity may be reduced, but I can give my assurance to the honourable mover and the honourable members of this House that a very careful consideration would be given to this proposal and so far as I am concerned, I shall certainly do my best to place their opinions before other members of Government and to plead their cause to the best of my ability.

Khan Bahadur Sardar Habib Ullah (Urdu): I am really moved to pity to see the awkward position in which the Honourable Minister for Local Self-Government is placed. We see him not infrequently asserting with great vehemence that he has whole-hearted sympathy with our demands and he has a profound conviction that so long as industry is not fostered

[K. B. Sardar Habib Ullah.]

our provincial finances cannot find a stable footing and that he is extremely pained to see the deplorable condition of the industries of our province. But after hearing a hundred and one assurances of a similar nature we find him chanting the dolorous hymn of his being utterly helpless and totally unable to secure money from the Finance Department in order to push on his beneficial schemes. Under these circumstances we cannot refrain from expressing our wonder as to what is the necessity of this farce of a ministry and of what avail are all these sympathetic assurances of the Minister. If the Government cannot spend money for so important an object as the fostering of industries, then for what other purpose, I ask, will they spend it? You know that the whole House is unanimous in support of this motion. It can be carried without a single dissentient voice. If you cannot do anything for promoting a cause which has the unanimous support of all sections of this House then God alone can help you. What else can I say in this respect? I hope that all the three Ministers will work in collaboration and with the help of their secretaries take effective steps to promote the cause of industry in this province. The work before them demands their immediate attention. I would suggest, in this connection, that a committee of the Directors of Public Instruction, Veterinary Department and Agricultural Department should be organised and these officers should co-operate to do the needful in this respect.

The Honourable Dr. Gokul Chand Narang : I should like to have the views of the House on this point by voting.

Khan Bahadur Sardar Habib Ullah : Thank you. I should also like to press my cut so that I may be able to gather the sense of the House on this point.

Mr. President : The question is—

That the total grant be reduced by Rs. 100.

The motion was carried.

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

That the total grant be reduced by Re. 1.

My object in bringing this motion is to express exactly the same views which have been all along expressed during this debate.

Mr. President : That is the very reason why I do not wish this motion to be discussed. It may be put to the vote of the House without discussion.

Shaikh Muhammad Sadiq : I am glad the Honourable Minister was pleased to allow a free vote on the last motion and it was carried by the House. My point in bringing this motion is to show that the time has come when the Government should help not only by holding exhibitions, but also by granting money in the form of subsidies. I suppose that I am in order in raising the question of subsidies on this motion. I trust the Honourable Minister will, acting on the same principle as on the last motion, accept this motion. It is only a question of more money for industries and when the Council is prepared to provide more money, I do not see why he should

not accept the motion. The Honourable Minister may even impose a tax if it is for the purpose of granting subsidies to industries and thus developing them in the province.

Mr. President : The motion is—

That the total grant be reduced by Rs. 1.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) : I do not want to repeat the arguments that I have already placed before the House. I have already pointed out that the importance of development of industries is recognised by Government and I think if a division had been taken, not a single non-official member would have voted against the cut which was moved by the honourable member for Lahore rural constituency. I am prepared to concede that if this cut also were put to the vote it would be unanimously supported by the members of this House. So far as I am concerned, all I can say is that the motive lying behind this motion has my whole-hearted sympathy. The only question is one of ways and means, and again possibly of readjustment *inter se* of the heads of expenditure of various departments. Beyond this I do not think it is necessary for me to say anything and the House is at perfect liberty to express its will in whatever way it likes. If any honourable member wants a division it may be called and the strength of the votes on this motion may be ascertained. I personally shall not oppose this cut at all.

Sardar Buta Singh (Multan division and Sheikhpura, Sikh, Rural) : Sir, this makes me repeat the question which I put the other day to the Government benches. I am not able to understand why all these speeches are made every year in the Council and no action is taken on the criticisms that are advanced by the non-official members. I may remind the House of the very famous speech made by the Honourable Minister in charge of this department a few years back. He enumerated all those things found here which were not made in our country but were imported from foreign countries. It has been urged every year that a large sum should be set apart for this department. But so far no action has been taken and only a very paltry sum has been set apart for this purpose. As regards the position of the Honourable Minister for Local Self-Government which he explained a few moments back, I am reminded of the Punjabi saying—

آؤ نیآہو سچنوں کہہاں ہار تمہارا—اندر جگہ تگ ہے باہر کرو اتارا

This is the position of our Minister. When the Ministers are getting Rs. 5,000 per mensem, we also think that they are invested with some authority and that therefore they will be able to do something for us. If they are not able to do something for us in the matter of industrial development, if they cannot exercise their power of persuasion to get more money from the Finance Member, I really do not understand what else they are doing. With these words I support the motion before the House.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : Sir, I just want with your permission to give an answer to what the honourable member for Sheikhpura just asked. The position of the Government is like that of any householder in the Punjab who has large ambitions but has not the means to carry out his schemes. (*An Honourable*

[The Hon. Sardar Sir Jogendra Singh.]

Member : Borrow.) Punjab is not a rich province. It is a poor province and within the means that are placed at our disposal we are trying to do our utmost. At the same time we have ambitions that we may have larger means to carry out larger schemes. At the same time it is to be recognised that the finances at our disposal are limited and within those limits all the work has to be done. What we hope is, to make steady improvements and as we make these the finances of the province will improve and with the improvement of the finances larger opportunities of development will occur. In this hope we carry on our work and in this hope, your ministers endeavour to carry out your wishes.

Shaikh Muhammad Sadiq : I want to say only a few words by way of reply to the remarks made by the Honourable Minister. He said that the money available was limited. I submit that as long as his heart is limited his finances also will be limited. I am not aware of any occasion when he wanted money for the development of industries and the House refused the money. He has only to come to the Council with proposal for raising money for industries and the Council will be only too glad to sanction his proposal. Instead of that he says that the Honourable Finance Member will not sanction him the money. I cannot understand this argument. I believe that the Ministers and members are running the Government in a collective capacity and not in their individual capacity. Therefore when this motion was sent to Government the Minister should at once have called for a meeting of the cabinet and decided the question in accordance with the wishes of the Council. I am sure if this question had been discussed in the cabinet the Honourable Finance Member would not have refused the money. I am sorry that the reply given by the Honourable Minister is not convincing. If the Honourable Minister only cares he can raise loans for developing industries. The Government has wasted 6½ crores on the Mandi Hydro-Electric scheme. I do not see why the Government should not spend some money on the development of industries in the province. The money that is spent on industries will not be wasted. It will be like sowing seeds on a good soil. It will yield tenfold as much money as is spent on industries.

I may point out that the development of industries is one of the ways of solving the problem of unemployment in the province. In England more than a million and a half of the people are daily being given bread and butter by the Government. Similarly in America six million people are supplied food and lodgings by the Government. If India were England, people would have revolutionised the country. The people here, unfortunately are so gentle and so ignorant that they are very peaceful even when they are not able to get a morsel of food.

It is understood that England is spending one-and-a-half million pounds for research work alone. What to say about industrial development ! Scholars are being employed to do research work which will assist the development of industries. What does the Government here do ? You must remember that Government represents the public, and it is the public itself. We as representatives of the public and you as Ministers are only servants of the public and not its masters. Therefore we all must do what is good for the public. Instead of that, what is the use of saying that the Finance Member will not give money ?

The Honourable Sardar Sir Jogendra Singh : I did not say that.

Shaikh Muhammad Sadiq : The spirit that should influence the Minister should be a desire to serve the public and earn its good wishes ; so that when he lays down the reins of office people may say he has done something for the development of the province and for the good of the people. If money is required we are here to find you the money. It is not going to come from elsewhere. If necessary, a tax may be imposed the proceeds of which may be ear-marked for the development of industries and people will not grudge to pay it.

There are immense possibilities in the Punjab for industrial development. My friend says Punjab is poor. At another time he says that Punjab is rich. If it suits him it is a rich province ; otherwise it is a poor province. Let him decide once for all whether it is rich or poor. When they want to increase taxes he will say we are rich and a slice of our body might be cut. But when they want money to be used for industrial development, they will say, we are poor. This talk will not do. I appeal to them to accept this cut and carry out the wishes of the House. In England people have resigned on a question of principle. Let all these three Ministers, the Minister for Agriculture, the Minister for Education, the Minister for Local Self-Government, tell the Government that their future depends upon this question. Agriculture has to depend on industries. You cannot utilise your gardens to the best advantage unless you know how to pack the fruit. Look at the fruits packed and sent from America. In America we can get peaches at 2 pies each but when they come here we pay Re. 1 or annas fourteen for 4 peaches contained in a tin. Again you get California peas here at Re. 1 bottle, whereas you can get fresh peas at 2 or 3 pies a seer. No lip sympathy will do in these matters. If this cut is carried, the Minister will do his best to force the Government to give him more money. I hope he will do it because he is a nationalist and a representative of the industrial population and is himself a great industrialist. I therefore appeal to him to accept this cut and help the industries of the Punjab.

Mr. President : Question is—

That the total grant be reduced by Re. 1.

The motion was carried.

Mr. President : Question is—

That a sum not exceeding Rs. 11,88,298 be granted to the Punjab Government (Ministries of Local Self-Government and Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1934 in respect of Industries.

The motion was carried.

AGRICULTURE (TRANSFERRED).

The Honourable Sardar Sir Jogendra Singh : Sir, I move—

That a sum not exceeding Rs. 40,39,500 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1934 in respect of Agriculture (Transferred).

Mr. President : Motion moved—

That a sum not exceeding Rs. 40,39,500 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1934 in respect of Agriculture (Transferred).

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Non-official Nominated), (*Urdu*) : Sir, I beg to move—

That the grant be reduced by Re. 1 with respect to the item of Rs. 1,37,800, Total Agricultural Stations.

My object in moving this cut is to urge upon the Government the advisability of opening an experimental farm in the Muzaffargarh district. Sometime back the Department of Agriculture opened experimental farms in certain districts where experiments were made with regard to seeds and crops in order to find out which *ilqas* and which soils are the most suitable for the growth of particular crops. In the past few years instead of opening new farms in some other districts where they may be necessary for promoting the cause of agriculture, the existing farms have been discontinued in certain districts. There was a farm in Multan the opening ceremony of which was performed by the Honourable Minister for Agriculture himself. That has also been discontinued. The Government may say that it has no funds to proceed further with the agricultural development of the province. But if that is so I wonder how it affords to spend the public money on speculative scheme. We must be careful to spend money only on such schemes as are absolutely necessary for the general welfare of the province. I am sorry to observe that the zamindars have certain complaints to make against the department. They say that this department in fact renders no assistance to them but is rather an unnecessary burden on them. The people of the Muzaffargarh district have on many occasions requested the authorities to open an experimental farm in their district but all in vain. If any such farm is established in this district, it would also prove very useful to the neighbouring districts such as the Mianwali and Multan districts. So far as I can understand the work of the department, I can say that the district staff employed by the department is good for nothing. They give no substantial assistance to the zamindars. They advise them to grow sugarcane or 8-A wheat in their lands without taking into consideration the climatic conditions of the place. They give this advice only on the experience they acquired in the Lyallpur district. In this connection I am reminded of a story of a weaver who during his journey saw that a camel had eaten a melon which choked its throat. Thereupon the camel driver placed one brick under the neck of the camel and one above it and with the third he struck the brick which was placed over the neck of the animal. Thus the melon was crushed and the camel was all right in a moment. On returning home the weaver saw a relation of his suffering from some throat disease. He told him that he could cure it very easily. Consequently he applied the same remedy as was applied in the case of the camel. The patient was relieved of his trouble for ever, that is, he died. Similar is the case of the district staff employed by this department. They advise people to resort to those methods which have been successful in any part of the world. They do not consider whether the soil or climate of a particular place is suitable for the growth of a particular crop. If they

have to do only propaganda work why not employ an expert in Lahore who may publish pamphlets and arrange to have them distributed amongst the zamindars of the various districts? If the department feels that its responsibility does not end with the propaganda work alone, it should instruct its officers to see in which districts experimental farms can be established with advantage.

Now Muzaffargarh is one of the districts where an experimental farm can be opened with advantage. If the Department of Agriculture were to do its duties properly and after making experiments at the spot were to distribute suitable seeds and give other concessions to the people of this district, it can be turned into a fruit market which will compare favourably with any other fruit market in India. It is no use applying the knowledge gained by the experiments made at Lyallpur to other districts or to the Muzaffargarh district in particular because the climatic and other conditions of all the districts cannot be the same. What is useful for Lyallpur may not be useful for the Muzaffargarh district and even if with this knowledge the department were to insist on making applicable to every other place a result obtained by experiment at one place, it will be certainly acting like that weaver whose story I have related above. I say again that there is ample room for improving the agricultural conditions of this district and the opening of an experimental farm is very necessary. It will not lie in the mouth of the Government to say now after having accepted the resolution moved last time, that for want of funds the proposed experimental farm cannot be opened for the present. The Government stands committed according to that resolution to do what is necessary for the amelioration of the condition of the people of my district and I do not think it will now go back upon its word. Without this farm the conditions cannot improve. Simple verbal advice cannot better the situation because some of the zamindars have lost instead of gaining anything by such advice. I remember a case which is to the point. Once a zamindar of a village which is situated just near to my own village expressed his willingness to purchase seeds from the officers of the Agricultural Department and also seek their advice. On this he was encouraged to do so and accordingly he purchased some sort of seed and also sought the advice of the officers of this department. The advice I admit was given but the zamindar had to lose by that advice and the produce that he got that year was much less than that he ordinarily used to get. If this is to happen and if the zamindars are to lose by the advice given by the officers of the Agricultural Department, it is better that it should be abolished. I admit that the department and its officers are very clever in collecting and manipulating figures and the Government of India will do well to requisition their services (*hear, hear*). But so far as the improvement of agricultural conditions is concerned, the department has hopelessly failed particularly as far as my district is concerned. I think these few words will do to move the Honourable Minister and he will express his willingness to open the proposed experimental farm.

Mr. President : The motion is—

That the grant be reduced by Re. 1 with respect to the item of Rs. 1,37,800, Total Agricultural Stations.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) (*Urdu*) : Sir, I rise to support this motion and I also congratulate the honourable mover. He has rightly drawn the attention of the Government to the principle, which should guide the Government in all matters, that the needs of those areas and those districts should be first attended to which are situate in some remote corner and which are very backward. You find this principle being followed even in individual families. A father favours that son more or at any rate gives more help to that son who is suffering from some disability for example who is crippled or who is not very intelligent as to be able to earn his livelihood. He does not care so much for his other sons whom he knows to be quite capable of standing on their own legs. The same principle should be followed by the Government. But we find that instead of that the Government has been all along giving more help to the more advanced districts of the province. If one were to go to the Muzaffargarh district he will find that it looks like a desert of Arabia or of Africa and one is likely to think after seeing the conditions for himself that this district is perhaps not included in the British territory. (*An honourable member* : Have you ever been to that district ?) Whether I have been to that district or not it will not be denied that I am drawing the correct picture of the district. I ask whether the inhabitants of this part of the province are not the subject of the Government that they have been left to their own fate. They are I should think as loyal subjects of the Crown as the inhabitants of other districts and if I am not mistaken this district supplied a large number of recruits during the Great War. And although they are proverbially poor they also gave sufficient war loans to the Government. They have never proved troublesome to the Government, as the people of some other districts which are more favoured by the Government, have proved. We have never heard any complaint about these people having ever joined any campaign against the Government such as the civil disobedience movement and yet we see that Government has done very little for this district. The son who on account of his disability is more favoured by his father, respects his father more than his other sons do. So the people who are more looked after and who are given more help by the Government remain attached to the Government even in times of trouble. For this reason also the Government should accede to this very modest request and by making necessary adjustments should open the experimental farm there at the earliest opportunity.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : Sir, an honourable member a little while ago remarked that the members on these benches laugh and smile confident in the support of their communities. I wish to assure him and the members of this House that we laugh and weep with the people of the Punjab. The interests of the humblest of people of whatever caste or creed or community must be dear to the Minister, who holds the portfolio of any department of Government irrespective of caste or creed. The Department of Agriculture is administered with no other purpose than to raise the people of the Punjab to a higher and happier condition. The honourable member from Muzaffargarh has spoken with two voices. With one voice he has claimed, that he desires the establishment of a farm in Muzaffargarh so that experiments may be made as to the suitability of crops and opportunity afforded to the people of studying the advantage of scientific agriculture. On the other hand he

has criticised the propaganda which a single officer has been carrying on in introducing new seeds and crops in his district. I do not know how far his criticism is justifiable. The seed that is given in Muzaffargarh has proved its value in other parts and I cannot understand why it has failed in Muzaffargarh. I shall certainly inquire into the case, he has mentioned. It may be that the rain failed or it was sown at a time when there was no moisture in the soil or some other reasons which operated it. I was in Muzaffargarh and Dera Ghazi Khan not long ago. I think there is nothing more valuable for a Minister than to tour about in the country and see things for himself. As a result of my tour I realize the poverty of the people of Muzaffargarh. I saw that their cultivation was poor and they needed assistance. I fully recognize that Dera Ghazi Khan and Muzaffargarh need all the help that we can give them to raise their standard of agriculture even to what had been known in the Punjab, before the Agricultural Department came into existence. The people of Muzaffargarh are poor, their cattle are poor and they seem to have lost faith in work. They do not put their whole heart in the work and do not make good cultivators. I do not see any other way but to do what the honourable member wishes, to establish a farm and teach the people how to grow crops. I entirely agree with the honourable member, who has moved the cut that we must make experiments in the district itself and find out what crop is suited for the district. Perhaps the honourable member will be interested to know the efforts so far made in establishing a farm in Muzaffargarh. The question of opening a departmental farm in Muzaffargarh has been under examination since 1927. A site for a hundred acre farm was selected on the main road from Multan to Muzaffargarh at a distance of $1\frac{1}{2}$ miles from Muzaffargarh. After making a few inquiries the cost was found to be prohibitive amounting to Rs. 1,200 an acre and the site was rejected. Another site was selected in 1928 at village Matoi situated on the road from Muzaffargarh to Khangarh at a distance of 1 mile. It was expected that it will not cost more than Rs. 600 per acre but at the time of objections, claims were made at the rate of Rs. 2,000 per acre and the acquisition of this site had again to be dropped. Since then efforts are being made to select a site which would fulfil the purpose of demonstrating new methods of cultivation and yet could be acquired for a moderate sum of money. So far no such site has been discovered, but it is my wish and I can assure the honourable member that in case we find a suitable site we will have the question again examined and put a proposal for establishing a farm in Muzaffargarh and Dera Ghazi Khan. I think, the honourable member in view of the assurance I have given him will not press his cut.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Urdu): Sir, the Honourable Minister has expressed surprise on hearing that the seed supplied by the Agricultural Department, which in his opinion possesses the power of magic, proved useless in a part of the province. I may assure him again that it is a fact that the zamindar whose mention I made in my first speech actually had to lose for seeking the assistance and advice of the officers of this department. I do not mean to say that the seed supplied was in itself bad but what I meant to say was that a certain type of seed could not prove very useful everywhere. As I have explained before, this is due to the fact that the climatic conditions and the soil of different districts are different.

[K. B. Mian Mushtaq Ahmad Gurmani.]

and the results obtained by experiments at one place will not necessarily be obtained at other places as well.

Sardar Buta Singh : Is not the honourable member repeating the same arguments ?

Khan Bahadur Mian Mushtaq Ahmad Gurmani : I am replying to the arguments advanced by the Honourable Minister and in so doing it has become necessary to make mention of some of the points raised by me in my first speech. The Honourable Minister was further pleased to say that the agriculturists of the Muzaffargarh district are not so good as they ought to be. May I ask him whether he has ever tried to know what is the reason for their being not good workers ? I admit the truth of his statement but for his information I may state that these agriculturists in the first place know that a lion's share of the fruit of their labour will go to other persons and that secondly the lands do not yield enough to leave a margin of profit. This is why these agriculturists cannot put their heart into the work. Then they have not been trained or told how by means of improved methods of agriculture they can make their lands yield more produce and more income. The Honourable Minister in raising this point has supported my contention that it is necessary to open an experimental farm somewhere in Muzaffargarh.

It gave me great pleasure to learn from the Honourable Minister that efforts have been made to open a farm in the Muzaffargarh district, that the owners of the land selected for the purpose demanded as much as two thousand rupees for each acre of that land. It is for the first time that I hear that the lands in my district can fetch this high price. However if the Government has failed to acquire a site for the farm at a cheap rate before, now is the time for acquiring such a site for nominal price because on account of financial difficulties the price of land has gone down very much. For an experimental farm, because we do not want a demonstration farm, it is not necessary to acquire land near a big town or by the side of a road. For this purpose a site in a distant village will even do and I can assure the Government that such a piece of land will not cost the Government very much. However as the Honourable Minister has given an assurance that he will do his best to meet with the wishes of the people of my district, I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Lala Labh Chand Mehra (Non-official, nominated), (*Urdu*) : I beg to move—

That the grant be reduced by Re. 1 with respect to the item of Rs. 17,99,600, Agriculture.

The question of how to provide employment and thereby food to the numberless unemployed persons is the most important question in these days and the best brains of the world all over are trying to find a solution of this vexed question. It has been rightly remarked that he who finds out means to provide employment and food for the largest number of men should be considered to be a first rate patriot. The Departments of Agriculture and Industry in the Punjab are amongst those departments which have been created solely with the object of helping the people in finding out new

sources of employment. These departments have been and are spending a lot of money for conducting experiments and for finding employment for the people of the Punjab. Lakhs of rupees are being spent on new enterprises. But it is a pity that an old industry of tea plantation in the Kangra district which had been giving employment to a number of people in the district has been allowed to decay and no steps have so far been taken to save it from destruction. As the House is aware, the soil in the Kangra district is rocky and consequently not quite fit for cultivation of valuable commodities. Therefore the people in this district cannot depend solely on these lands and their produce for their living. Nor can they depend on the industries which are almost extinct in this district. This tea plantation was to a great extent a source of providing food to a very large number of these people, but of late the condition of this industry has been growing from bad to worse. There are about 16,000 acres of land under tea plantation in this district. Of this area one-third is owned by the big zamindars and the remaining two-thirds are in the possession of small holders. The big zamindars manufacture tea with the help of machinery while the small holders do so with their own hands as cottage industry. But both have been losing for the last many years. The average cost of manufacture is Re. 0-5-6 to annas 6 per lb. During the last two years machine made teas have realized hardly annas 5 per lb. and zamindari teas Re. 0-3-9 per lb. on the average and in the next year I doubt if they will be able to realise this much even. Therefore it goes without saying that if this state of affairs is allowed to continue for some time more, this industry will not survive long.

In view of this decaying condition of the industry the Government in the year 1929 appointed an enquiry committee under the direction of the Joint Development Board to enquire into the causes of decay and to find out means for its revival. This committee invited Mr. Carpenter, the Chief Scientific Officer of the Indian Tea Association. Mr. Carpenter who is a tea expert went thoroughly into this question and made a report, in which he stated that the soil in the Kangra valley was quite suitable for growing tea. And if certain defects were removed the tea plantations could be turned into a prosperous industry. I think I will do better if I read a relevant portion of that report here. It is as follows :—

At the present time the tea in the Kangra Valley is in a very poor and debilitated condition but I am of opinion that it could be profitably greatly improved. It should be possible in my opinion to raise the cropping power to 400 pounds of *pacca* tea per acre and it might be possible for young tea treated on modern scientific lines to be raised to a crop of nearly 600 pounds of *pacca* tea per acre I am of opinion that the tea industry in the Kangra Valley could be made profitable provided modern methods are employed.

I may inform the house that the present average outturn is from 150 to 200 lbs. only per acre. I am sorry to observe that although this report has been before the Government for the last three years, no action has so far been taken on it (*An honourable member* : Question). The Financial Commissioner questions my statement. It may be that something has been done on paper but we have yet to see what practical steps have been taken to save this industry from destruction. It can be argued that on account of financial stringency no practical steps could be taken. But I take the liberty to ask, why efforts have not been made to provide money for this most important matter while money has been and is being spent for much

[L. Labh Chand Mehra.]

less important matters? I understand that the Imperial Research Institute was requested by the Punjab Government to provide money for this purpose and that this request was rejected. Why on earth should the institute have agreed to spend on a provincial subject and why should it have selected the Punjab for any special favour? I am sure that if the Punjab Government had a mind to help this industry it could have made a provision for it from its own funds and the experimental demonstration farm could have been opened which is so very necessary. If the Punjab Government has not ceased to take interest in the development of this industry and if it is in right earnest, it can start and open this farm. The Government will not have to spend anything for the purchase of land, because it has already got a big plot of Holta land which was acquired about 7 years ago. If for any reason that land cannot be used, then I am sure that it will find many public spirited men who will be ready to offer a piece of land free of cost for this purpose.

The zamindars who have got small areas for the cultivation of tea cannot afford to carry on experiments. For their benefit it is necessary that the Government should undertake to start a demonstration farm in Kangra and there carry on experiments in order to show their results to the people who may derive benefit by trying to achieve those results themselves on their own farms. In this Government farm which I urge should be started in the Kangra district, a nursery should be established for which seeds of very superior type should be sent for from Assam and grown for distribution and sale amongst the cultivators. Demonstrations regarding pruning, plucking, weeding and manuring should be given. The people should be shown the advantage of using chemical manure. The Bengal and Assam Governments help the tea planters considerably and they have also employed an officer who occasionally goes out on tour to the various parts of those provinces visiting tea plantations and advising their proprietors as regards the new methods of cultivating tea. The Punjab Government should also hire the services of that officer in order that he may sometimes visit this province and advise our tea planters as well. Mr. Carpenter writes in his Report—

I did not amplify in my report the methods for obtaining scientific advice because after seeing the estate it seemed to me that the estates generally were hardly in a position to contribute to the Scientific Department of the Indian Tea Association.

The same gentleman again writes in a letter to explain his recommendations—

A more suitable scheme, I think, would be if the Government of the Punjab could make a definite arrangement with the Indian Tea Association, Calcutta, for a Scientific Officer to visit the Kangra Valley once in two years. In order to obtain this they would have to make some contribution to the funds of the Scientific Department of the Indian Tea Association. The amount would have to be settled by the Punjab Government and the Indian Tea Association. I am not in a position to make any statement in regard to this. This would be no unusual method since the Governments of Assam and Bengal make an annual contribution to the Scientific Department of the Indian Tea Association.

* * * * *

I think that a general visit by one of our officers to the Kangra Valley would not be of the greatest value to the Kangra Valley tea estates. It is necessary to develop a small Government Experimental Station in the tea growing district of the Kangra Valley, and one of our Scientific Officers could then periodically

possibly visit such a station with a greater advantage to all concerned. It would then ensure that the Experimental Station in the Kangra Valley was kept up-to-date in its methods and the individual tea growers within the valley could themselves visit their local Experimental Station.

Moreover Sir, as the holdings of tea planters are very small in area they cannot afford to manufacture tea by the help of machines. I would suggest that Government should build a model factory where small planters may be able to manufacture their tea by machinery on a co-operative system and pay something per lb. for the cost of manufacture. Such a factory besides promising a great boon to small planters will demonstrate the advantage of up-to-date machinery and mode of manufacture to big planters. I draw your attention to the report of the Enquiry Committee; it supports the recommendation I have suggested. In it, it is laid down that after sometime the Government can charge some acreage rate from the planters. A similar acreage rate is charged from the tea planters in other provinces.

It would not be out of place to mention here a few difficulties that arise in the way of marketing. The tea of Kangra is imported chiefly into Kashmir and Afghanistan. Japan taking advantage of exchange rate which on account of depreciation of Yen is very favourable to them has started dumping their tea in Afghanistan and to a greater extent has succeeded in ousting our tea from there. It is doing the same in Kashmir. After some time we will lose that market also. Although on account of the Ottawa Pact the duty has been raised on Japan tea, still as the duty is refunded, when the tea is re-exported to Afghanistan and Kashmir, so it does not help us at all.

I know that it is a central subject but the Punjab Government can move the central Government in the same way as they did in the matter of the railway freight. Some means should be found out to protect Indian tea against Japan's dumping. This year Japan has sent some experts to Afghanistan in order to study the conditions there so that such tea may be produced as is likely to sell most in that country. It is necessary that the Punjab Government should also send some experts to Afghanistan for the purpose of studying the conditions there and finding out what sort of tea they want, so that our manufacturers may be able to produce it and sell it there with advantage.

You will be surprised to know that in Kashmir the same duty is levied on our tea which is levied on the foreign tea. Our tea is very cheap and of inferior quality. Its price is about one anna per lb., while the price of foreign tea is about 14 annas per pound. The duty levied is Rs. 12½ per maund. It means that the duty levied on our tea is 250 per cent. while on the foreign tea it is only about 20 per cent. The most surprising thing is this that no duty is levied on the Kashmir goods which are imported into our country. The Provincial Government should also move the Government of India so far as this matter is concerned. The Punjab Government should press the Government of India either to allow us to levy duty on the goods that are imported from Kashmir into our province or ask the state to remove all duties that it at present levies on our tea and other goods. With these words Sir, I move my motion.

Mr. President : Motion is—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 17,99,600, Agriculture.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture) : I have listened with great interest to the speech which the honourable mover has made. He is intimately connected with the tea trade and he speaks from intimate knowledge. Some years ago when I visited Kangra, I thought it was something of a tragedy that the tea plantations established by European planters were deteriorating so much so that they were reverting into jungle. I saw tea plantations of Kangra when they were in a prosperous condition and I saw them when they were in ruins. I therefore invited a tea expert from Assam, to come and examine the situation, and he submitted a report to which the mover has made a reference. The result of this enquiry was that Mr. Carpenter pointed out some simple improvements on cultivation and manufacture. He found that the tea gardens were not properly manured, cultivated or pruned and even the plucking of tea was done in such a way that the bushes were ruined. He made a few simple suggestions regarding the cultivation, pruning and the manufacturing of tea and he pointed out that while similar tea produced in Kachar and Assam was fetching in the Calcutta markets something like Re. 1-5-0 a lb. the Kangra tea did not find a market even at 5 or 6 annas a lb. The honourable mover of the motion has not mentioned the bad practices which prevail in the Amritsar market. I refer to the adulteration carried on in a large scale. I have heard stories, I do not know how far they are correct, that the adulteration that takes place in Amritsar is such that no one wishes to repeat an order for it. The honourable mover of the motion will, I hope, take steps in awakening interest among the tea planters themselves to reorganise the industry and to adopt some of the recommendations which Mr. Carpenter had made and which could be adopted without much difficulty. There is no reason why cultivation, weeding and pruning should not be done on more scientific lines. There can be again no difficulty in obtaining new seed. Mr. Carpenter was of opinion that if new seed was introduced into the Kangra valley it would increase the output about four times from the same area. I wonder if the honourable mover of this motion who has had this report with him for the last three years has taken any steps on his own estate to introduce some of the improvements. If he has not, I think he has failed more than we have failed in carrying out the recommendations of Mr. Carpenter.

Now as to the action which the Punjab Government took, I told him a little while ago that we in the first instance applied to the Imperial Council of Agricultural Research for a grant of Rs. 38,000, so that we might establish a little farm in the Valley. Unfortunately this request of ours was turned down. I still hope that we may be able to get a grant. In the meantime in January 1931 the department sent an expert to the Experimental Tea Station at Tokhali. He has had two years' special training in tea growing and tea manufacture. He has recently returned to the Punjab after being properly trained in tea growing and the Punjab Government has now stationed him in the Kangra Valley. I am sure the honourable mover will admit that what he desires has to some extent been done.

Then he raised the question of marketing in Kabul and Kashmir, and I can assure him that I will make inquiries about it from my friend, the Agent in Kabul. I will inquire from him how far our tea is being replaced by other tea, but before we do anything, we must learn how to make and

market our tea properly. The honourable mover of this motion will be well advised if he organises an association of tea growers and insists on the marketing of tea without adulteration, and at the same time he himself with other friends takes up some of the recommendations which Mr. Carpenter made. They are within the means of every tea grower if he only takes the trouble of following them. On my part I can promise him every help in the matter. I have not neglected the promotion of tea in the Kangra Valley. In fact it was I who first took up the question, and I can assure him that I will do my best for tea plantation.

Lala Labh Chand Mehra (Urdu): The Honourable Minister has made a few remarks in his speech which I think it is necessary for me to reply. In the beginning he asked why I myself did not take an initiative so far as the introduction of the scientific methods of cultivation of tea was concerned. Let me make it clear to him that I possess no tea plantation, and if I have brought forward this motion it is not from the point of view of some personal gain.

The next thing he asked me was, why the planters do not act on the recommendations of Mr. Carpenter and why I do not press them to do so. In reply to this I have to impress upon him that there are some practical difficulties. At my request one of the garden-owners imported seeds worth about Rs. 700 from Assam and planted them in the Kangra Valley. Unfortunately due to inexperience and other unknown reasons there was no success and the enterprise failed which not only caused disappointment to that garden-owner but discouraged the neighbouring planters who were watching the result. Had some intelligent and experienced man or the Government expert tried this experiment it would never have failed.

The methods which are now employed for pruning and plucking have been proved to be useless by scientific research but the tea cultivators of Kangra continue to employ them. They dare not make a change. If some farm is opened there and demonstrations given, the zamindars will learn the scientific methods and discard the old ones which are harmful. Then the Honourable Minister remarked that the goods sold in the Amritsar market were adulterated. I was the first man to draw the attention of the Government to this fact. I incurred an expenditure of Rs. 2,000 in order to make an enquiry about it and to start an agitation both in Calcutta and in Amritsar. And now I can assure the honourable members that there is not much adulteration going on. It is hardly to the extent of one pice in the rupee at present. The Honourable Minister has tried to throw all the burden on the zamindars by saying that they should start all such experiments and so on. But the zamindars are very poor and cannot afford to do so. Had they been in a position to improve their lot the industry would not have been in the position that it is now.

The Honourable Minister did not say whether the Government was prepared to establish an experimental farm. He only said that an expert had been engaged. What we want is that an experimental farm may be started for the benefit of the tea cultivators. It is on account of this lack of enthusiasm on the part of Government to start such a farm that the condition of this industry is deplorable.

[L. Labh Chand Mehra.]

In the end, as the Honourable Minister has assured us of his sympathy and has said that an expert has been engaged and also because I hope that he will establish an experimental farm at Kangra soon I beg leave to withdraw the 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. 17,830 with respect to the item of Rs. 17,830, pay, of Deputy Registrars, Co-operative Societies.

Sir, I am very glad to have this opportunity of submitting my views on this department in the presence of Mr. Calvert to whose fertile brain the scheme owes its inception or development or perhaps both. When the scheme was introduced into the Punjab, it was thought to be the panacea for all the ills that the zamindar was heir to, but the working of the scheme has shown that this idea was too optimistic. The other day here in this very Council the honourable member from Sheikhpura went to the length of saying that the worst money-lender is much better than this co-operative department.

Sardr Buta Singh: There are two members from Sheikhpura.

Chaudhri Allah Dad Khan: Obviously the honourable member who just interrupted me is not meant. If he had been, I would have referred to him more specifically. The other member is meant. Now, Sir, we must look for reasons for this. There is no doubt that the scheme is meant to free the zamindars from the control or clutches of the money-lenders. But the fact that it has not worked well shows that there is some defect somewhere, and we must find out what it is. I have given three cut motions in order to bring it out partly in one speech, partly in another speech and partly in a third speech. In my opinion the department is overstaffed. There is so much super-abundance in this department as to have no parallel in the administration of the Punjab Government. Now if we take from the lowest rung, there are three or four sub-inspectors of co-operative societies. They are working in the villages and these are for each tahsil; for the district the number would come to sixteen or more than sixteen. Then at the head of these men there are inspectors and from the list given here I find that the number of inspectors on an average per district works at 4 per district, as there are 125 inspectors and there are 29 districts it works up to $4\frac{1}{2}$ or 5 inspectors on an average per district. Then at the head of these there are circle registrars whose number given here is 20. Over the head of these there are three deputy registrars. Now the only function of these deputy registrars which I can think of is that of post office, that is, that of transmitting correspondence of the lower staff to the higher officers, for there is nothing in the Act and in the rules which the circle registrar cannot do, so that the deputy registrar can merely work as a post office. There is therefore no need of the deputy registrars. Now the question can be asked, what has this super-abundance of the staff to do with the unsatisfactory working of the department. I think there is a close connection between the enormous waste of expenditure and the unsatisfactory working of the department. The reason is this. I will take

a bird's eye view of the pay given to the different officers in the department. The sub-inspector of co-operative society gets only Rs. 50 and the inspector starts on Rs. 100 which after the various cuts and other things now comes to Rs. 70 per mensem. He gets no allowance for his horse and he has to tour throughout the villages. On the top of him comes the assistant registrar or circle registrar and he gets at once Rs. 500. Look at the difference between the pay of this officer and that of the inspector; there is the difference of heaven and earth. Then comes the deputy registrar who gets Rs. 800 a month. Now the thing is this, when Government can give such high salaries to the circle registrars and the deputy registrars, why can it not give better pay to the inspectors and sub-inspectors? The result is that the sub-inspectors and inspectors find it very difficult to tour through the villages. They are at present getting starving wages and I do not think they can very well be able to serve the department. The other disadvantage is that no good men are forthcoming. On a pay of Rs. 100 no graduate worth the name would like to serve this department and the result is that ordinary mediocres are taken by this department.

I submit that if the post of deputy registrar is abolished all the evil will be remedied. There will be a saving of
 6 P. M. Rs. 40,000 and this can be utilised to increase the pay of sub-inspectors. There will, as a consequence, be an improvement in the quality of work of the officers. Besides, the increase in pay will be a great inducement to them to work hard and work properly. That will improve the general tone of the department. I am of opinion that if that suggestion is adopted and tried at least for a few years, it will be found that it is paying in the end. If the Government is really anxious to ameliorate the condition of the zamindars and give them relief at the time of need through the co-operative societies, then the department should be worked as economically as possible and not on this extravagant scale. The difficulty is that these big officers do not keep in close touch with all the various co-operative societies and consequently the co-operative societies are full of all the evils that crop up for want of attention. Sums much beyond their income or their status are advanced by them to shareholders.

At this stage the Council adjourned till 2 p. m. on Tuesday, 14th March 1933.

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PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 14th March 1933.

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

STARRED QUESTIONS AND ANSWERS.

LAND HELD BY OCCUPANCY TENANTS.

*2338. **Rao Bahadur Chaudhri Chhotu Ram** : Will the Honourable Member for Revenue kindly state the total amount of land held by occupancy tenants in each district and the proportion which it bears to the whole land under cultivation ?

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

Statement showing the cultivating occupancy of land.

Division.	District.	Total area of land held by occupancy tenants.	Proportion to the total area under cultivation.
		Acres.	Per cent.
Ambala	Hissar	468,357	18
	Rohtak	51,418	4
	Gurgaon	100,458	10
	Karnal	42,839	4
	Ambala	51,275	7
Jullundur	Simala	91	4
	Kangra	26,096	5
	Hoshiarpur	149,768	20
	Jullundur	51,240	8
	Ludhiana	27,269	4
Lahore	Ferozepore	312,940	14
	Lahore	72,043	6
	Amritsar	52,413	7
	Gurdaspur	58,734	7
	Sialkot	54,428	7
Rawalpindi	Gujranwala	35,349	4
	Sheikhupura	11,783	1
	Gujrat	58,822	9
	Shahpur	56,313	4
	Jhelum	87,246	12
Multan	Rawalpindi	73,696	13
	Attock	175,325	16
	Mianwali	57,131	6
	Montgomery	17,443	1
	Lyalpur	16,502	1
	Jhang	20,119	2
	Multan	29,359	1
	Muzaffargarh	33,686	5
	Dera Ghazi Khan	42,261	5
	Total	2,234,288	7

LAND IN POSSESSION OF TENANTS-AT-WILL.

***2339. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state the total amount of land which was found to be in the possession of cultivating tenants-at-will in each district at its last settlement together with the year of settlement and the proportion which it bears to the total area under cultivation ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The attention of the honourable member is invited to Final Settlement Reports of districts, in which the information required is usually given.

RENT IN LAST SETTLEMENT.

***2340. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state in respect of each district the average normal rent (i) in cash or (ii) in kind which was found to prevail in the last settlement together with the year of settlement ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The information required can be obtained from tahsil assessment reports to which I would invite the attention of the honourable member.

CROWN LANDS IN POSSESSION OF OCCUPANCY TENANTS AND
TENANTS-AT-WILL.

***2341. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state the total amount of crown lands in the cultivating possession of (i) occupancy tenants and (ii) tenants-at-will in the province as a whole and the proportion which it bears to the total area under cultivation ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Necessary information is being collected, and will be supplied to the honourable member when ready.

LAND REVENUE.

***2342. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state whether it is a fact that in all tracts where the land revenue settlement is fixed as distinguished from fluctuating, a land-owner has to pay revenue not only in respect of the area sown but in respect of his whole holding irrespective of the proportion of the holding actually sown with a crop ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Yes

REMISSION OF LAND REVENUE.

***2343. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state whether it is a fact that no remission of land revenue is permissible, except under the general calamity rule, unless there have been three successive suspensions of land revenue ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The answer is in the negative.

SUSPENSION OF LAND REVENUE.

***2344. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state whether it is a fact that no suspension of land revenue is ordinarily permissible unless the expected yield in the area sown falls below what is known as a four-anna crop?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The answer is in the negative.

SUSPENSION OF LAND REVENUE.

***2345. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state whether there is any definite rule or principle laying down that a landowner who is prevented by natural conditions from placing under crop a certain minimum proportion of his holding will be entitled to a suspension of land revenue, and, if so, in what book, manual or set of instructions that rule or principle is contained?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The answer is "no" so far as tracts under fixed land revenue are concerned. In tracts under fluctuating land revenue no assessment is made if no crop has been sown.

SUSPENSION OF LAND REVENUE.

***2346. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state whether a landowner who fails to cultivate any portion whatsoever of his holding owing to sickness or any other cause is entitled to a suspension of land revenue, and, if so, under what rule?

The Honourable Captain Sardar Sir Sikander Hyat Khan : If the honourable member is referring to fixed land revenue the answer is in the negative.

WELL-IRRIGATION AND CHAHI RATES.

***2347. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state whether it is a fact that land commanded by well-irrigation and subjected to *chahi* rates either in the shape of *nal chah* or enhanced revenue rates as compared with the rates charged to *barani* lands is not relieved of *chahi* rates even if the well is not used for irrigation in any particular year?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The information required by the honourable member will be found in paragraph 558 of the Land Administration Manual.

CHAHI RATES.

***2348. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state whether it is a fact that the owner of *chahi* land will not be relieved of *chahi* rates unless his well has been out of use for five years in succession?

The Honourable Captain Sardar Sir Sikander Hyat Khan : No. The attention of the honourable member is invited to Rules I and II in paragraph 558 of the Land Administration Manual.

CHAHI RATES.

***2349. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state whether it is a fact that the owner of a well which has been rendered unserviceable, say by the action of flood, continues to be 'out of commission' for four years, and is repaired or rebuilt by him so as to be serviceable in the fifth year will yet be liable for *chahi* rates even during the period of four years when the well was incapable of being used, and if the liability ceases, the rule under which it ceases?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The rules regarding remissions of revenue when wells fall out of use will be found in paragraph 558 of the Land Administration Manual.

OWNER'S RATE AND WATER-RATES.

***2350. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state whether it is a fact that in a tract where canal irrigation has been newly introduced it is permissible under the law to levy an owner's rate over and above the usual water-rates, and, if so, what is the extent of this rate in relation to land revenue or ordinary water-rates, what are the rules regulating owner's rate and under what law and by what authority these rules have been framed?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Reference is invited to sections 87 to 89 of the Northern India Canal and Drainage Act (No. VIII of 1873) and paragraphs 445 and 446 of the Settlement Manual, which give the information required.

LITERACY A CONDITION FOR NOMINATION OF A MEMBER OF A MUNICIPALITY.

***2351. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Local-Self Government please state—

- (a) if literacy is a necessary condition for nomination of a member of a municipality ;
- (b) whether it is a fact that Pir Mohammad Hanif who was recently nominated as a member of the Sadhaura Municipality in the Ambala district is an illiterate person ;
- (c) who else were the applicants and with what literary qualifications, for being nominated, when Pir Mohammad Hanif in (b) was nominated a member ;
- (d) why Pir Mohammad Hanif was preferred to the other applicants in (c) ;
- (e) if the answer to (b) is in the affirmative, what action the Government intends to take in the matter ?

The Honourable Dr. Gokul Chand Narang : (a) Literacy is not necessary under the Act or rules for a person appointed to a Municipal Committee.

(b) It is understood that the member can read the vernacular to some extent.

(c) Government has delegated the power of making such appointments to Commissioners, who may appoint any suitable person for nomination. There were, therefore, technically no other " applicants " to be considered. It is not in the public interest to publish the names of persons who pressed their claims for appointment on the occasion in question.

(d) In the opinion of the officer making the selection, Pir Mohammad Hanif was the person presumably most suitable in the public interest for appointment.

(e) Does not arise.

Chaudhri Allah Dad Khan : Is it not desirable to have literate people on the municipal committee ?

The Honourable Dr. Gokul Chand Narang : Yes, very desirable.

Chaudhri Allah Dad Khan : Then, why was not a literate person nominated to the municipal committee ?

The Honourable Dr. Gokul Chand Narang : There might have been other advantages making up for this deficiency.

Chaudhri Allah Dad Khan : What were those advantages ?

The Honourable Dr. Gokul Chand Narang : It may be that the person nominated was more public-spirited, or more experienced or had more leisure, or was above temptation and so on. All these are qualifications for nomination.

Chaudhri Allah Dad Khan : Was the person nominated more public-spirited ?

The Honourable Dr. Gokul Chand Narang : If the honourable member will give notice I shall be glad to ascertain that.

REMISSION AND SUSPENSION OF LAND REVENUE.

***2352. Mr. Sajan Kumar Chowdhry :** Will the Honourable Member for Revenue kindly state what steps the Government have taken to relieve economic distress in the Hissar district in the way of remission and suspension of land revenue, distribution of *takavi* and starting of famine works ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Suspensions of land revenue amounting to Rs. 5½ lakhs and remissions amounting to Rs. 1,40,296 have been proposed and are under the consideration of the Commissioner. Concessions regarding the railway freight of fodder to the district have been granted, and *takavi* for fodder will be granted to any one who needs it. Should rain fall at sowing time *takavi* for seed will also be given on a liberal scale. Test works have been opened at six places in the district, and a sum of Rs. 40,000 has been put at the disposal of the district authorities for expenditure on test works. When that has been expended further grants will be made as required.

LAND REVENUE AND *ABIANA*.

***2353. Mr. Sajan Kumar Chowdhry :** Will the Honourable Member for Revenue kindly state whether the Government proposes to make any reduction in the rate of land revenue and *abiana* in consequence of the fall in the prices of agricultural produce ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Forecast reports of the results of re-settlement of certain districts are under preparation. It is impossible at present to say whether any reduction of land revenue will result. The pitch of water-rates is at present under the consideration of Government.

COMMITTEE ON AGRICULTURE INDEBTEDNESS.

***2354. Mr. Sajan Kumar Chowdhry :** Will the Honourable Member for Revenue kindly state whether the report of the committee on Agriculture Indebtedness is ready, and, if so, whether the Government proposes to supply each member of the House with a copy of it ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The report has been circulated to members.

BHAKRA DAM SCHEME.

***2355. Mr. Sajan Kumar Chowdhry :** Will the Honourable Member for Revenue kindly state what steps the Government proposes to take to hasten the actual initiation of the Bhakra Dam scheme ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Government intends to ascertain the views of the House on the question before deciding on future course of action.

LAND REVENUE.

***2356. Mr. Sajan Kumar Chowdhry :** Will the Honourable Member for Revenue kindly lay on the table of the Council a statement showing the variations in the prices of the principal agricultural commodities at the end of every period of ten years commencing from 1861 and corresponding changes, if any, in the rate of land revenue at the same periods ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : If the honourable member will kindly indicate for which district he requires the information a reply will be given with reference to the headquarters tahsil of that district.

PRICES OF CATTLE.

***2357. Mr. Sajan Kumar Chowdhry :** Will the Honourable Minister for Agriculture kindly state the fall in the prices of cattle as indicated by the relevant figures of the cattle fair at Bhiwani, district Hissar, in the spring and autumn of 1924, 1926, 1928, 1930 and 1932 ?

The Honourable Sardar Sir Jogendra Singh : A statement giving the necessary information is laid on the table.

Statement showing the fall in prices of the cattle in the Bhiwani Cattle Fair for the undermentioned years.

AVERAGE PRICE OF ANIMALS SOLD.

					Bullocks.	Cows.	Buffaloes	Camels.
					Rs.	Rs.	Rs.	Rs.
<i>Spring.*</i>								
1928	..	..	..	..	64	36	82	108
1930	..	..	..	..	55	64	60	73
1932	..	..	..	..	44	27	44	56
<i>Autumn.</i>								
1924	..	..	..	..	77	43	64	91
1926	..	..	..	..	64	41	77	88
1928	..	..	..	..	58	57	61	86
1930	..	..	..	..	35	47	41	73
1932	..	..	..	..	32	35	26	52

*The spring Cattle Fair, Bhiwani, was started from 1928.

GOVERNMENT DEMONSTRATION FARMS.

***2358. Mr. Sajjan Kumar Chowdhry :** Will the Honourable Minister for Agriculture kindly lay on the table of the Council the balance sheets for the last four years in respect of the Government Demonstration Farms at Rohtak and Gurgaon, indicating whether any account has been taken on the expenditure side of the capital expenditure on buildings, bullocks, agricultural implements and salary of establishment on the spot ?

The Honourable Sardar Sir Jogendra Singh : No balance sheets are prepared for the District Farms at Rohtak and Gurgaon, since these farms are not commercial farms, but if the honourable member desires I can give him an account of income and expenditure.

DELHI-HISSAR-MONTGOMERY ROAD.

***2359. Mr. Sajjan Kumar Chowdhry :** Will the Honourable Minister for Agriculture kindly state what portions of the Delhi-Hissar-Montgomery Road in the Hissar district still remain unmetalled ?

The Honourable Sardar Sir Jogendra Singh : Miles 127—132, 134—140 and 159—194.

EDUCATION OF GIRLS.

***2360. Mr. Sajan Kumar Chowdhry :** Will the Honourable Minister for Education kindly state the total amount of money spent in 1930-31, 1931-32 by the Government for the education of girls (inclusive of grants to private institutions) in the cities of Lahore and Amritsar and the whole Ambala division respectively ?

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

CIVIL DISOBEDIENCE PRISONERS.

***2361. Mr. Sajan Kumar Chowdhry :** Will the Honourable Member for Finance kindly state how many civil disobedience prisoners in the province have been set free on rendering an apology and how many were jailed in 1932 ?

The Honourable Sir Henry Craik : No civil disobedience prisoners were released on apology during 1932, and 1,697 such prisoners were imprisoned during that year.

POLITICAL PRISONERS.

***2362. Mr. Sajan Kumar Chowdhry :** Will the Honourable Member for Finance kindly mention how many political prisoners are still confined in Punjab prisons and how many of them are Hindus and how many Muslims ?

The Honourable Sir Henry Craik : If by the term 'political prisoners' the honourable member means the prisoners convicted of offences connected with the civil disobedience movement, the information asked for by him is as follows :—

Hindus	..	..	..	..	177
Muslims	..	..	..	..	47
Sikhs	..	..	..	..	69
Total					293

GOVERNMENT'S DEMANDS FOR GRANTS.

AGRICULTURE (TRANSFERRED)--(concl'd).

Chaudhri Allah Dad Khan [Ambala division, North-East, Muhammadan, Rural] : Sir, I shall resume my speech where I left it yesterday. I was explaining this fact that as the Co-operative Department has plenty of officers, these three deputy registrars' posts can be retrenched with some advantage, the money thus saved being utilised to increase the pay and status of the sub-inspectors.

Mr. President : The honourable member cannot suggest how the money saved by the abolition of the posts of deputy registrars should be spent.

Chaudhri Allah Dad Khan : Very well, Sir. Even if I am not to suggest how the saving should be utilised, yet there remains this fact that a good deal of saving can be effected which can be utilised to best advantage.

There is one other point which I want to urge in favour of the abolition of these posts of deputy registrars. They have never been promoted to the office of registrar, ever since the creation of the department. If anyone of them was at all appointed it was only for a very short period, and no one has up to this time been permanently appointed to that post. There is thus a stagnation in the case of deputy registrars which, according to all human calculations, discourage their exerting themselves as best as they might. This is amply illustrated by the number of civil service officers who have left India in disgust because they were refused promotion. I am tempted to mention the names of some of them, but as they are all well known I shall refrain from mentioning their names. This is a further consideration why these posts should be abolished. Stagnation wherever it exists discourages men, and it is a sort of death to them. The deputy registrars, so to speak have administrative death hanging over them and, therefore, it would be better if their posts are abolished. The poet says :

صفائے حیرت آئینہ ہے سامان رنگ آخر
تغیر آب پر جا ماندہ کا پایا ہے رنگ آخر

(If you keep water standing for a time its colour changes and it decays). Similarly if you keep these men without any prospect, it will be a waste of public money on them. It is more than any ordinary human being can bear. Whenever the post of registrar falls vacant a man in the civil service is requisitioned for it. It is very strange that a person who has had no experience nor training is appointed to this post.

Mr. President : The honourable member is not in order in discussing the appointment of registrars.

Chaudhri Allah Dad Khan : I am submitting that the appointment of registrar is not made from the ranks of deputy registrars, and that, therefore, people who have no prospects of promotion should not be retained. That only makes the work of the department go bad. That is my argument, and I suppose I am relevant.

Mr. President : The honourable member's motion is for a substantial reduction with the object of abolishing the posts of deputy registrars to effect economy. Is he in order in arguing that their posts should be abolished because they are not promoted to higher posts ?

Chaudhri Allah Dad Khan : The point is that the retention of these men makes the work in the department bad. That is my point. It does not conduce to the improvement of work in the department. Therefore these officers should be abolished, and the money which is being spent on them would be saved.

Mr. President : What will be the position of the honourable member if one of these officers is promoted to the office of registrar ?

Chaudhri Allah Dad Khan : That is not my point. I am bringing this point to urge the reduction of these men. I am only anticipating the

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argument, 'if the posts are to be abolished, how are the men to be provided for?' I am only showing a way as to how to provide these men, when their posts are abolished.

Mr. President : Do you want all these men to be made registrars ?

Chaudhri Allah Dad Khan : I have not stated that. I am only pointing out as to how these three men should be disposed of. If you listen to me you will find that I am quite relevant to the point.

Mr. President : I shall gladly show every indulgence to the honourable member.

Chaudhri Allah Dad Khan : I was saying that the registrar is taken from the Indian Civil Service and he is not acquainted with the work. So if you reduce these three posts, you can put one of them as registrar. That will meet the objection as to how to provide these men. One of these can be appointed as registrar. The other man can be retrenched because there are reasons for it. There is one man among them who tampered with the entry of his age and reduced it by 5 years. (*Interruption*). I mean Dyal Singh who is in Jullundur.

Mr. President : Such personal references have absolutely nothing to do with the abolition of the posts of deputy registrars.

Chaudhri Allah Dad Khan : I thought somebody asked me the name, and so I had to mention the name. But I will not name him. I will say there is one officer who tampered with his age and reduced it by 5 years. He can be retrenched. The third man can be provided elsewhere.

Mr. President : I will request the honourable member not to discuss any officer individually. The only question before the House is whether the three posts of deputy registrars should be abolished.

Chaudhri Allah Dad Khan : Suppose they raise the question as to how to provide these three men.

Mr. President : The honourable member should not discuss the three deputy registrars individually and personally.

Chaudhri Allah Dad Khan : I am not discussing them individually and personally. I am only showing how they can be provided. I have not named anybody. (*An honourable member :* You did). (*Interruption*). I am only putting forward my arguments. I do not know why the Government members should grow impatient.

Mr. President : They are not impatient.

Chaudhri Allah Dad Khan : You were discussing the question with me, why should other members interfere ?

Mr. President : It is the duty of every member of this House to help the Chair in maintaining order.

Chaudhri Allah Dad Khan : If you require their help, it is all right.

Mr. President : There is no question of my requiring it. It is their duty to help the Chair. The honourable member will please confine his arguments to the motion moved by him.

Chaudhri Allah Dad Khan : I am confining myself to it, but I think there is too much interference. I have already submitted that above these three officers there are other people, and these officers do not serve any useful purpose. Now I will deal with the functions which appear to me to have been assigned to these gentlemen, the three deputy registrars. I understand their chief and only function is to pass the correspondence from the subordinates to the higher officers and to visit the central banks in big towns. I have never seen them visiting the villages to examine the registers and books and other documents of the village societies for which there are inspectors and sub-inspectors who are more than sufficient, as I said in the beginning. Why should you have these deputy registrars for checking the registers of a few central banks? When a reply is made, I hope it will be stated definitely how many banks of the village bank type of A, B, C and D classes these gentlemen have visited during the year, how much time each one has spent in visiting those banks, how far and how many times he has left his headquarters and so on. I want full information for justifying their retention even up to this time. As far as I understand they go to central banks and make a hurried inspection, and run back to the headquarters and charge travelling allowance. That is my experience and observation of the functions and duties of these gentlemen. If there is any other function of these officers, I should like to be informed. Even if there are certain other duties which are assigned to these men and which I do not know, they can easily be transferred to circle registrars or to other officers above them. Thus a good deal of money can be saved which will make these rural banks work better. For, at present there is too much exaction made from the rural banks on account of high officers having been employed in this department. Perhaps it is known to the honourable members of this House that each society is required to contribute 10 per cent. of its profits. That is a big sum for a small society in a village.

Mr. H. Calvert : On a point of order. Is the honourable member relevant? The pay of the deputy registrars has nothing to do with this question.

Mr. President : No. He is not. He can discuss the abolition of three posts, but he cannot discuss their salary or its sources.

The Honourable Captain Sardar Sir Sikander Hyat Khan : What the Financial Commissioner meant was that contributions from village societies do not go, even partially, towards payment of salaries of these officers. That was his point.

Mr. H. Calvert : Yes.

Chaudhri Allah Dad Khan : They do go indirectly. I will explain how. Ten per cent. is taken from these banks and is utilised by the Government. (*An honourable member :* No, no). I know 10 per cent. is realised from them, and that goes towards the pay of these sub-inspectors or inspectors. If this amount is left to the villagers, the banks will work better and the Government can also save money. When the department can be improved by the reduction of the posts, when it does not lose anything by the reduction of these posts, I wonder why that reduction could not be made. It ought to be made. In addition to this charge of ten per cent. taken from the village banks, there are other indirect charges which are too

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much for the villagers to pay. If this is avoided and economy is practised and these posts are brought under reduction, it will be a great saving to the Government. I may give a specific reference. Mr. Calvert visited Jullundur when he was a Member of the Royal Commission on Agriculture in 1927, and a number of subordinates in the department,—inspectors, circle inspectors and so on—flocked to Jullundur, and it was known then that a charge of Rs. 15 per bank was levied for the miscellaneous expenses incurred in that connection.

Mr. President : That is irrelevant.

Chaudhri Allah Dad Khan : I want to say that by the reduction of these posts money can be saved and also other expenses can be obviated for which at present money is exacted from the villagers. At that time there were 500 banks in Jullundur district, and at the rate of Rs. 15 a bank it came to Rs. 7,500. It was not a legal charge, and I do not know whether it came to the notice of Mr. Calvert. This is one example where money is exacted, and it is typical. Thus, as I have already said, there are many reasons why these posts should be abolished. One is that the department is over-staffed. The other is exacting money from the villagers to help the department to go on. The superfluous element of the department should, therefore, be abolished so that we may find money for more necessary elements. If the superfluous element is eliminated Government will not be put to the necessity of implementing its resources in that department by other means. With these remarks I move the motion standing in my name.

Mr. President : Motion moved —

That the grant be reduced by Rs. 17,830 with respect to the item of Rs. 17,830, Pay of Deputy Registrars, Co-operative Societies.

Mr. H. Calvert (Financial Commissioner) : Sir, I do not know whether the House expects me to take at all seriously the wild and inaccurate charges brought by the honourable mover against what is the largest and best organised body of persons in this province. His statements were so wild and his charges so sweeping that I cannot believe that anybody would put a moment's credence in them. Also I do not propose to follow the honourable member into the irrelevancies which you vainly tried to prevent him from indulging in. I might, perhaps, put the matter clearly to this House, if I explained in a word or two how these deputy registrars came into being. In 1915 when I came into the department, there was no deputy registrar, and only about 3,000 societies. The first deputy registrar was appointed in 1919 when we had 5,400 societies. The second one was appointed in 1922 when we had 9,300 societies, and the third was appointed in 1926 when we had 14,500 societies. There are now 22,000 societies. Now, Sir, the honourable member seemed to object to what most of us take as a very fundamental element in all organization. That is the system of gradation. The whole administration either of the province or of a great business is based on a system of check and counter check, and in the interests of economy it is always considered wise to entrust the least important work to the lower paid ranks and the more important work to the higher paid ranks. It is generally accepted and need not be argued that the more difficult problems cannot be dealt with by the lower paid ranks and, therefore, you have either to have everybody of the highest rank or have a series of ranks to meet the different problems that they are likely to be called upon to deal with. The deputy

registrar is not an inspecting officer. The inspection is carried out by other officials who are inspectors working under assistant registrars. A deputy registrar is a fully empowered registrar ; he has all the powers of the registrar, and he does all the functions of the registrar under the Act and the Rules, and he controls the circle registrars. An ordinary deputy registrar has, therefore, under him about 7,000 societies with about 2 lakhs of members. I do not think that any member really would hold that where we have 7,000 societies there ought not to be somebody who will be in a position to deal with the numerous problems that they are constantly presenting. The normal working of the co-operative societies presents very few difficulties and very few questions which really involve any interference from the Government staff, but unfortunately all societies do not work normally. There are such things as embezzlements, liquidations and insolvencies and bad debts, and these present problems of great intricacy requiring for their solution great knowledge and great experience. Therefore we have created a number of officers of the widest possible knowledge and experience to deal with these larger problems. I think, it is generally accepted in organizations that the human brain cannot take care of more than 4 to 7 units at one time. In the army the maximum is usually fixed at 4 units. In this particular case the deputy registrar has 7 units under him, and this is the limit which one human brain can control at one time. He also suggested that a large part of this staff was superfluous. Well, I wish he would travel in India a little bit and see what staff is being maintained in other provinces in India. I have received the last statement from Madras which ranks with the Punjab as the leading province in India in co-operation. That province has 15,000 societies as compared with our 22,000, but they are larger societies, and have 9 lakhs of members against our 7 lakhs. Madras has 25 deputy registrars, and, mind you, whereas our three deputy registrars include one member of the Indian Civil Service, the member of the Indian Civil Service in Madras is called the Joint Registrar—

Shaikh Abdul Ghani : Are the emoluments identical there ?

Mr. H. Calvert : I do not think they are better paid, but they do the same amount of work. The honourable member tried to make a point that these officers were getting stale inasmuch as they had no further prospect of promotion. They are all on a time-scale, and none of them has reached the top of their scale. He argued that they have no hope of being made registrars. But they are registrars in everything but the name. I do not think it is necessary to say anything further about the attacks which the honourable member thought fit to make in this House. Nowhere in the world has the problem of a satisfactory system of rural credit yet been attained. Most countries in the world are trying to evolve a system of financial credit for farmers with greater or less success. The attempt to introduce co-operative societies has failed in England, Scotland and Ireland, and, in England, they had to set up a special joint stock bank with very large reserves guaranteed by Government. In the United States, as honourable members now know, the attempt to afford rural credit had broken down. For many months past the rural banks in the United States have been failing at the rate of over a hundred per month, and that has led to the collapse of the system which we have been reading about in the papers of the last few days. The Punjab has not gone as bad as that. The movement has its defects.

[Mr. H. Calvert.]

It is essentially a human organisation, and human things are defective. It is not claimed that everything that the department does is successful, that every member is a perfect member and every society a perfect one. There are weaknesses in the movement which we expect to have in any human movement. But it may be claimed that the Punjab co-operative movement is the most successful type of its kind in the whole of Asia. Nowhere else do you find the movement progressing on sound lines with as great success as you have in this province. And a very great deal of the credit belongs to the three deputy registrars. It is their experience, knowledge, devotion and application that has brought this province to be the leading province in India and in the whole of Asia. The whole problem of rural credit is one which is not likely to be solved in the lifetime of anyone of us here, and I think in every country where they have to provide easy credit for the poor people they will have to keep officers of the type of deputy registrars, and, I think, the province would be fortunate indeed if in future it got as good officers as it has now got. I oppose this proposal to abolish the posts of deputy registrars. They deserve well of this province, and I think honourable members who have personal experience of the co-operative movement will testify to the good work done by each of them (*hear, hear*).

Chaudhri Allah Dad Khan : Sir, I will not take a long time to reply. But I must say at the outset that the speech of the Financial Commissioner is nothing but a set of platitudes and generalities, and not a single definite fact has been touched. He has not said why these deputy registrars are necessary. He has said that they are not inspecting officers, and are doing very complicated and difficult work which the registrar does. That itself is a condemnation of these deputy registrars. If they are doing the work of a registrar where is the necessity of these deputy registrars when we have a registrar. Then he said that in Madras there are more officers than we have here. Each province has its peculiar circumstances and needs. He has not told us what are the circumstances in Madras. It may be that its requirements are greater than ours. To say, therefore, that officers that are necessary in Madras should also be appointed in the Punjab is nothing but a very plausible argument, and should not be taken seriously. That necessity may be existing in Madras, but that necessity is not present here before us. He also referred to my statement that these deputy registrars are stagnant and refuted it by referring to time-scale promotion. But he forgot that when they reach their maximum in the time-scale they stop, and they have no hope of further promotion. Was not this true about those English officers who went away to England before they had reached their time-scale? Why did they go away? Only because they had no hope to rise beyond the top of the time-scale. His argument, therefore, does not hold water. He also stated that the movement was going on very satisfactorily, but this comes from the mouth of the gentleman who is in charge of the department, and he must defend it. Unfortunately being pressed for time and being anxious to speak on other demands also members of our party are not making speeches, otherwise the Financial Commissioner would have found out the nature of the satisfactory way the movement is going on and how the people like it. I quote one honourable member who said that this movement is now injuring

the zamindars instead of helping them, that the worst money-lender is much better than the Co-operative Department. With these words I resume my seat.

Mr. President : Question is—

That the grant be reduced by Rs. 17,830 with respect to the item of Rs. 17,830, Pay of Deputy Registrars, Co-operative Societies.

The motion was lost.

Chaudhri Allah Dad Khan [Ambala division, North-East, Muhammadan, Rural] : I beg to move—

That the grant be reduced by Rs. 30,000 with respect to the item of Rs. 30,000, Pay of Banking Expert.

In moving this motion I need not deal at length with the same arguments which I have already advanced. The only point that I want to mention is that there is a superfluity of officers. There are three deputy registrars and there is a banking expert, and then there is the registrar and then the personal assistant to the registrar, and below them there are, so many circle registrars and inspectors and sub-inspectors. This department is over-ridden with officers, and the department would not be a loser but would gain by the reduction of the post of banking expert. He is doing no work except giving advice. As I submitted the other day, when the Financial Commissioner is the head of that department, cannot he advise the department? Is the banking expert a greater expert in business than Mr. Calvert himself? He has spent all his life in the department. It is very strange if he knows nothing of the department. A man can pick up all the defects and ins and outs of the department in a few years. Has he not done that? The banking expert is there to be provided with a post only and not to help the movement. He simply gives advice and performs no administrative duties. He should, therefore, be asked to go away. He has had his time. Why not utilize this opportunity afforded by the financial stringency to get rid of this gentleman and the superfluous expenditure that is sitting like a nightmare on the finances of this department? With these words I commend my amendment to the House.

Mr. President : Motion is—

That the grant be reduced by Rs. 30,000 with respect to the item of Rs. 30,000, Pay of Banking Expert.

Mian Nurullah (Lyallpur South, Muhammadan, Rural), (Urdu) : Sir, before I proceed to say anything in support of this motion moved by Chaudhri Sahib I would like to give vent to my appreciation of the valuable work done by our deputy registrars. These officers have really proved themselves of immense benefit to our Co-operative Department. All the three of them are men of transcendent ability, and their efforts in the way of improving the condition of the co-operative societies deserve our high commendation. And it is on account of the presence of these able officers in the Co-operative Department that I see no need of retaining a banking expert. Our able and efficient deputy registrars have ample experience of the work of their line, and they will surely be able to cope with the duties assigned to the banking expert. Now I should like to acquaint the House with a bit of the history of the post of banking expert. The officer was first appointed to all intents

[Mian Nurullah.]

and purposes, for a term of 3 years. He had to render advice about all the necessary matters relating to this department after studying the whole situation and to start the work in a proper fashion. He was to go away after finishing the work assigned to him. His services were, however, not dispensed with after the expiry of that term. It was, on the other hand, extended for a period of two or three years more. The predecessor of the then Registrar, Mr. Strickland, was of the opinion that no permanent banking expert was needed for the department. He, therefore, had taken one man from the Imperial Bank for a few months after which he was sent back. Mr. Darling who was an able and experienced civil service officer and who later on held the office of the Financial Commissioner had also the same opinion and considered the retention of a whole-time banking expert unnecessary. Moreover, we all know that at one time the work of the department had been running quite smoothly even without this officer. So it seems hardly necessary to burden the department and the revenues of the province with this expenditure. I think many of the honourable members of this House are secretaries and managers of co-operative societies or are connected in other ways with them, and they will bear me out that the banking expert has not rendered them even the smallest aid, and they can very well do without his services.

Even recently when all other banks were faced with terrible crisis on account of a change in the gold standard in England our banking expert was enjoying his 8 months' leave. My submission is that when we could do without him at the time of such a crisis, cannot we afford to dispense with his services at a time of comparative financial stability? Only the other day I was told in reply to my short notice question, that for one month the banking expert was to hold the office of the registrar as well. Now, if one man can thus work in double harness he can be conveniently relieved of his duties of one of the offices, and as we cannot afford to abolish the responsible post of the registrar we would do well to get rid of the banking expert. I should like to make one suggestion in this connection. Mr. Calvert is an expert of outstanding ability in the co-operative sphere, and has vast experience of this work. The Government would be well advised to hand over the charge of both the offices of registrar and banking expert to him. He is an officer who can most efficiently run the work of even four offices. His appointment in the dual capacity of registrar and banking expert would make a saving of about Rs. 30,000. Let us offer him and see if he is willing to help us in effecting this retrenchment in our expenditure. Just as honourable members, Mian Mushtaq Ahmad and Chaudhri Shah Muhammad, pointed out the other day, the Co-operative Department has a most unenviable reputation these days. If the posts of the registrar and the banking expert are amalgamated into one, the incumbent of that post will be in a much better position to remove this stigma against the department.

The Retrenchment Committee also made a recommendation to the effect that the post of the banking expert should be abolished. But that recommendation has not been accepted. The Honourable Finance Member observed in his budget speech that the Government had done everything in their power to secure economy, and it was the members of this House who failed to do what lay in their power. I would like to ask him if it

was not in his power to reduce this post, and if he could do that why he did not bring this post under reduction.

Moreover, the salary of the banking expert as shown in the budget is more than Rs. 30,000, although in the beginning the salary was fixed at Rs. 1,000 per month which was later increased to Rs. 2,000 and Rs. 2,500. If we add to this sum the expenditure of the establishment of his office the amount goes up to Rs. 50,000, which is approximately one-twentieth of the whole expenditure of the Co-operative Department. Need I point out, Sir, that this is a most unreasonable amount of expenditure, and removal of this would effect a saving of 5 per cent. at once. It may be that some honourable members who have come with the sole object of lending their support to the demands of the Honourable Minister will think that this motion is meant to stigmatize his work. I may assure them that nothing is farther from our minds. What we really want is to ask the Honourable Minister to effect this retrenchment which he can do very conveniently. I hope that all honourable members will lend their support to this motion.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban) (Urdu): Sir, the impression has generally gained ground amongst the public that the Co-operative Department creates posts to be filled by the favourites of the high officers. So, in pursuance of this policy of creating posts when work is required for a certain individual, this post of banking expert was permanently created. The present incumbent was an employee of the Alliance Bank when it was declared insolvent. He, therefore, was thrown out of employment, and it was with the intention of providing work for this gentleman that the Co-operative Department felt the need of his services. Otherwise what special circumstances had arisen after full eighty years of British *raj* in this province which had at once necessitated the employment of a banking expert? As far as my information goes this officer has never proved himself of the slightest benefit to the banks here. I have a knowledge of the affairs of several banks like the Muslim Bank and Sindh Bank and other banks, and I have never known that these banks have ever received any letter from him giving advice on any matter of importance.

The Honourable Captain Sardar Sir Sikander Hyat Khan: May I remind the honourable member that the Alliance Bank went into liquidation in 1921 and this banking expert was appointed in 1928.

Shaikh Muhammad Sadiq: I think your memory is at fault. Your information is not complete either. You always possess incomplete information. I know it for certain that the gentleman was the manager of the Alliance Bank and he was later on given the present job to keep him employed. Otherwise I do not think that any bank has particular need of his services. The Imperial Bank and the National Bank and all other banks can do without him. Moreover, the work of these banks has been running quite smoothly during his absence on long leave of eight months. Our banks were passing through a period of grave crisis, and he was enjoying his long leave. He ought to have got his leave cancelled like a conscientious public servant when he had heard of the sad plight of the banks. But neither he nor his employers moved an inch to help the banks in their hour of great difficulty. I challenge the Honourable Minister to prove the advisability of his observing reticence and not writing him to hasten back to his duties.

The Honourable Sardar Sir Jogendra Singh : The honourable member is arguing the point without ascertaining the facts.

Shaikh Muhammad Sadiq : I have no access to your papers ; how can I know the exact facts given in your official files ?

Mr. President : The honourable member could have given notice of a question to obtain the information.

Shaikh Muhammad Sadiq : Sir, I have had this information quite lately. If I had got some information yesterday I would not be in a position to ask a question to-day even if I give notice to that effect by telegram. Moreover if all the members of this House begin to give notices of question on every fresh information which they obtain, it will be well nigh impossible for the cabinet to answer all the questions.

Mr. President : The honourable member has misunderstood me. My point is that the honourable member could have given notice of a question to obtain the necessary information.

3 P.M.

Shaikh Muhammad Sadiq : Sir, I would, therefore, submit that the Government should not go on creating posts unnecessarily. These are very hard times. The whole province is faced with a very serious situation. You have restrained the activities of the beneficent departments. In England the Government spends a considerable amount of public money in granting old age pensions and relief to the crippled persons. There you will find orphanages established in various parts of the country. But what have you done here ? You spend nothing for such charitable purposes but waste huge sums of public money in creating posts which are not at all required. You have appointed experts without whom we can do very well. Well, Sir, we do not want to pass a vote of censure against the Honourable Minister in charge of the department. If he can convince the House that this post is necessary and conducive to the general welfare of the province, I would be the first person to vote for the demand. This officer has been in office for the last two or three years, and the House would like to know what he has been able to accomplish so far ? If this job is necessary we will not object to its retention. It would also be much better if Government could combine two posts into one and thus save some money. With these words I support the motion now before the House.

Pir Akbar Ali (Ferozepur, Muhammadan, Rural), (Urdu) : Sir, I would like to say only a few words in connection with the motion now before the House. I think the appointment of the banking expert was made either with a view to training people in the art of keeping accounts or to improving the banking system of the province. There can be no other purpose. But in case there is any other purpose, I would ask the Honourable Minister to let the House know what that purpose is. If the appointment was made with a view to training people in the art of keeping accounts, then I think this officer must have trained sufficient number of persons in this art during the period he has been in office. But if the object was to evolve a sound banking system in the province, I would request the Honourable Minister to say how far this officer has been able to achieve that end. We do not want to condemn any person, but we have a right to know what this officer has been able to accomplish so far. With these words I support the motion.

Mr. H. Calvert (Financial Commissioner): I am afraid there seems to be a certain amount of misunderstanding as to the exact function and duties of the Financial Adviser to the Registrar of Co-operative Societies. Before touching on the duties I should like just to dispel one or two misapprehensions which have crept into the debate so far. In the first place, as far as I can recollect, as far as I can make out from a reference to the actual report, the Retrenchment Committee did not recommend the abolition of this post. Secondly, I think it is quite incorrect to say, as was said, that he has received extension after extension. I think he was appointed originally for five years, and that period of five years is not yet completed. Then a point was made about his absence in England when England went off the gold standard. That happens to be true, but neither the gentleman concerned nor the Financial Commissioner nor the Minister responsible had any idea that England would go off the gold standard at that time. Otherwise I think we should probably have asked him to stay behind. But it is worthy of note that when England went off the gold standard the effect on the Punjab rural banking system was practically nil. There was considerable, very considerable, trepidation about the value of Government paper, and the Co-operative Department being one of the largest single holders of Government paper in the province the movement might have been expected to suffer. Actually it did not. It suffered on paper heavy loss on the actual current value of those securities, but the movement itself did not suffer, and, of course, we have now fully recovered the paper loss on that holding. I would like to remind the House that for a movement so large as this in the province there is only one Financial Adviser, and if honourable members here think that I am speaking well of this movement merely because I have had to deal with it for a number of years I should like to remind them of the outside evidence which is now accruing; a number of Indian provinces are now deliberately modelling their movement on that of the Punjab, and such provinces wish to send their officers to the Punjab for training. For the last few years advice has been taken from the Punjab to places as far as Malaya, Tanganyika, Palestine and Ceylon. Only a few days ago we had a visit from an officer from Zanzibar seeking advice as to how best to introduce the co-operative credit movement in Zanzibar on sound lines. That at least should dispel any idea that what I am saying is in any way due to a personal interest in the movement.

Then, it was argued—I must say I regret the argument—that because for a temporary, special cause, in the interests of economy, we asked the Financial Adviser to carry on the duties of the Registrar, therefore one or other of the posts could be abolished. That arrangement was made for one month only, and was more or less forced upon us by the fact that the Registrar became suddenly ill and under the doctor's orders had to leave the country, and there was no one who could be regarded as sufficiently trained to hold the charge. There was an officer under training, but that officer needed further training before he could be invested with the heavy responsibilities of a registrar. That is wholly the reason for giving this gentleman this double charge.

I hope no one is confusing the duties of a Financial Adviser to the co-operative movement with the duties of the Financial Adviser, say,

[Mr. H. Calvert.]

of the Public Works Department. The name happens to be the same, but the functions are entirely different. The main duties of the Financial Adviser are, as the name suggests, to assist the central banking organisations of the province. There are 47 central banks, 56 unions, making 103 banks in all, which this gentleman has to assist. Their total assets are nearly Rs. 9 crores, a sum not very far from the total annual revenue of this province. The annual transactions as to receipts and disbursements are about Rs. 8 crores. I think that honourable members will realise that the transactions which this gentleman has to advise upon are very large indeed. The movement holds Rs. 5 crores from the public, and I should think that no argument is needed to press home the heavy responsibility of any one who is trying to see that those five crores are held available at the time when the public wish to get them back. The total sum invested in the movement is twice that invested in the hydro-electric branch or about one-third of the sum invested on the irrigation system of the province. Yet the honourable members would grudge to pay one single adviser on financial and banking matters. The main duties of this officer are assisting the banking institutions with their operations, accounts and collections. These institutions are audited twice yearly, once by regular company auditors, and again by departmental auditors who, my honourable friend from Lyallpur will be pleased to hear, are Bachelors of Commerce. One of the chief duties of this officer is to see that the criticisms of these auditors are fully considered and their suggestions are properly adopted. A half-yearly audit is carried out and he sees that the banks and unions attend properly to all the criticisms made by the auditors and remove the objections that they have raised. He also assists in training their staff, in selecting the staff and in advising them upon their promotions. At their request he is examining their candidates and reports to them as to who he thinks are really fit to be entrusted with these very large transactions. One of his important duties is to train the secretaries of the banking unions to carry on the daily increasing burden of their work. Members may perhaps not realise that the banking union is indigeneous to this province, it is an institution peculiar to the Punjab. It arose in the Punjab, and although other provinces are trying to introduce it they have not succeeded to the extent to which the Punjab rural people have succeeded. It is very essential that these rural institutions managed entirely by rural people should run on sound lines, and this officer holds regular classes, I believe, three times a year, to train the staff of these unions to carry on their rather involved account work. The central banks in this province owe a very great debt indeed to the public-spirited gentlemen who are in charge of them. A large number of these gentlemen are lawyers, and I think very great praise indeed is due to them for the public-spirit they have shown in controlling the very large operations I have described; but these gentlemen are not familiar with the intricacies of banking and are not experts in accountancy. It is therefore, to their advantage that they should have at their command an expert in practical banking who would advise them. This banking expert has actually to look after 103 banking institutions, and he receives a very large number of requests for advice on specific matters of banking with which he has to deal.

His special care is the Punjab Provincial Bank. The working capital of that bank is 1,56 lakhs, and its cash transactions run to two crores. When the Peoples Bank of Northern India failed, and there was a certain amount of nervousness about banking in general, it was the Punjab Provincial Bank that came forward and enabled all the central banks to meet the situation, and in a few days the whole situation was saved and we heard of no more repercussions. The Provincial Bank helps all the central banks in the province, and as a clearing house it deals with very large transactions. Where there is no joint stock bank, as in Gujrat, the central banks are a source of help to trade and commerce. To assist them the Provincial Bank maintains a clearing house for all their cheques.

Then the expert has a very special responsibility for the attempt to introduce into this province co-operative mortgage banks. These banks were introduced at the suggestion of Sir Micheal O'Dwyer as an experiment, and the Punjab Government agreed to assist the experiment by advancing loans in the beginning to each bank. Mortgage banking is, I think, acknowledged to be the most difficult form of banking in the world. We do not know whether mortgage banking can or cannot be successfully carried out in this province, but we are making an experiment, and it is a large part of the Financial Adviser's duties to advise us and help us to try these banks on lines which may lead to success.

Yesterday there was a marked demand from the benches opposite for State aid to industries, and to-day we have opposition from the very same benches to State aid to banking. Banking is necessary for industry, and without sound banking you cannot have sound industries, and yet here is an officer whose primary duty is to advise and help in the institution and development of sound banking in this province, and he is attacked. I cannot quite realise how members can ask for State assistance for industries and oppose State assistance for banking. The gentleman concerned is a very valuable officer who was selected in consultation with the Imperial Bank. The Imperial Bank advised us in our attempt to secure his services, and he seems to me fully to have justified his selection. It is hoped that in a very short time, certainly in five years, his pay will be met by central banks themselves. At the present moment, however, we think that Government should continue to pay him for a few years longer. I think it can be said that in five years at the very most he will be paid by the central banks in the province whom he advises. At present we do not think that we should place this burden on these banks.

His duty is to advise and to control the banks with their enormous transactions. I am sure that if any member has invested as large an amount as two crores of rupees in any form of security, he would demand and insist upon the best advice he could possibly get, and these crores of Government paper which the Financial Adviser has to assist with is merely a fraction of the total sums invested in this province. I hope the honourable member will agree that for a movement like this one financial adviser is not too many.

Shaikh Abdul Ghani (West Punjab Towns, Muhammadan, Urban): Sir, it is very unfortunate that whenever there is some very important matter affecting the good administration of the country, there are certain consider-

[Sh. Abdul Ghani.]

ations which stand in our way, and it is in our constitution because we have three Ministers representing three different communities, and the whip goes round whenever there is a particular matter under consideration in respect of a particular department and that is why that particular community—(interruption). In this particular case it has been hinted that perhaps the Honourable Minister for Agriculture would think that it is some slur upon his administration. I, for one, would assure him that I would not associate myself if the meaning of this motion were to be as is hinted by certain honourable members of this House. But being one of the foremost in our ranks of politicians in this province the Honourable Minister must be feeling, in spite of the defence put up by the Financial Commissioner, that there could not be any necessity or any justification for the retention of the post of this heavily paid officer, and we are rather strengthening his hands when by our criticism here we are openly declaring that this post is a sinecure, and has been created to provide an unprovided man, and I know that in his heart of hearts he would be rather glad that by lending our support to this motion the House is helping him to-day. My submission is that there should be no extraneous considerations because these are very hard times, and every one knows that the province is very hard pressed in the way of finances, and we should do our level best to reduce our expenditure as much as we can.

With respect to the defences put up, I may submit that we have been told that the banking expert is under a contract of five years. This is not an irrevocable contract. Provisions are always made in contracts that services will be dispensed with at a month's notice. Therefore this difficulty need not stand in our way.

Then an effort was made to defend his leave of absence. Of course in that particular case, I do not think that would be a very sound objection, that the gentleman was away in England on leave, and he could not have been expected to run back. There is not much force in that argument.

Then the next point was that there are 103 banks in the province and this officer has to advise them, that he has to audit certain accounts and to issue instructions, that he has to supervise and train the secretaries of co-operative unions and tell them how to keep accounts and how to discharge several other duties connected with this branch of work. Nobody who listened carefully to the various points raised by the honourable Financial Commissioner would be long in detecting that as a matter of fact not a word has been said as to what the banking expert has been able to accomplish so far. All that he has told us is that there are certain duties and certain functions attached to the office, and that he is expected to do certain things. These are all generalities, and the House cannot be satisfied with generalities. So, I would ask Government to tell the House definitely what the Financial Adviser has been able to do so far. What we have been told is that he has to supervise certain institutions, he has to advise them, he has to audit certain accounts and so on. For these reasons, we are told, the retention of the post is absolutely necessary, as all these things are very important and there must be some body to look after all this. As I have already said, all that is general. All that we wanted to know was what this officer has been doing since 1928.

If the experts from other provinces or countries came here to study the conditions in the province, how far was the banking expert personally responsible in improving those conditions? We wanted to know what part this officer took in effecting any improvement, and as to where we would have been but for him. All this we wanted to know but not a word has been said about it.

What are the registrar and the deputy registrars for, if they cannot look after these duties? If they cannot attend to these things, why are they drawing such fat salaries? I think it is absolutely unnecessary to retain this officer, and that it is nothing but creating a sort of confusion of duties. If the registrar is there, if the deputy registrar is there, and if the circle registrars are there, with all these dignitaries of this branch of co-operation there is no necessity for this post of the banking expert. It is mere waste of money and energy of a gentleman who cannot be expected to do justice to his work. My submission is that so far nothing has been said to justify the retention of this post or of the present incumbent of that post.

Then there was another criticism made, and it was necessary that it should be met. It was suggested by some members that that gentleman was provided this post because he was in trouble. It was said that on the failure of the Alliance Bank this gentleman was thrown out of work, and that it was to provide this gentleman with a job that this post was created. I think that was a point which we expected to have been answered by the Financial Commissioner. We wanted to know if this is the way in which such high salaried posts are created. If that point goes unanswered, the impression would be that as a matter of fact this is what actually happened. (*A voice*: You might treat that suggestion with contempt). It was said on the floor of this House by responsible members, and I hoped that that suggestion would be repudiated by Government. (*A voice*: Do you believe it?) Why should I not believe when my learned friend from Amritsar says so? Why should I not believe when my friend from Lyallpur makes that suggestion. When they stand up and say so to your very face and when you keep quiet, people are left to draw their own conclusions. Anyway Government member could have very well said; "I treat that suggestion with contempt, it is beneath notice, but anyhow as the point has been raised, I would say no in reply to it." That would have dispelled the doubts from the minds of many of us. Anyhow one thing is quite clear and that is that this post is quite unnecessary and useless, that it is very highly paid, and that we can do without it.

Moreover, in these days when banks are closing down, why are you retaining him? Is it for advising the people as to how to close best? What help can he possibly give to the banks at the present moment? (*Interruption*). I think it would be better for the Honourable Minister to reply to my questions when his turn to speak comes than to interrupt me at every sentence. I submit that I strongly support the motion that has been moved, and I whole-heartedly associate myself with what has been said by the honourable members who have preceded me. I hope the House will give its verdict that this officer is quite unnecessary.

Khan Bahadur Sardar Habib Ullah : May I know whether this officer holds his post on contract or whether he belongs to the permanent cadre ?

Mr. H. Calvert : He is on contract.

Khan Bahadur Sardar Habib Ullah : May I know when the contract ceases ?

Mr. H. Calvert : Next October.

Khan Bahadur Shaikh Din Muhammad [East and West Central Towns, Muhammadan, Urban] : I beg to support this motion. The reasonableness of this view was admitted by the Financial Commissioner himself. Unfortunately we carried ourselves into avenues which gave rise to unnecessary discussion. The main question is that the salary of the banking expert should not be shown as a burden on the provincial revenues. The reply given by the other side is that in a few months' time this would be done. This evidently shows that the Government agrees that the salary of the banking expert should not have been a burden on the provincial revenues during the last four or five years that he has been holding this office. (*An honourable member* : Certainly not). The banking expert, is merely advising the co-operative banks and unions. If I know the constitution of these banks aright, these are private institutions altogether. (*An honourable member* : No.) They sell shares, declare dividends, and are worked by honorary officers. They are no doubt supervised by the registrar, but the question still remains why the Government should pay to a person who advises private institutions in banking matters. It may be perfectly justifiable for the Financial Commissioner to remark that it is essential to retain an expert because the assets of the 103 banking institutions including unions amount to about 9 crores, because they have to dispose of so many complicated problems, and because most of them are run by non-officials who are doing in an honorary capacity. But in view of the large number of these institutions it is really an easy matter for the co-operative department to distribute the salary of this officer over all those unions and banks which are benefitted by his advice. (*Hear, hear*). If his salary were distributed over those institutions which he is advising, the amount which each of them will have to pay will be very insignificant. But here on the provincial exchequer, it means a strain of Rs. 80,000. This point has not been met by either the Financial Commissioner or by any other member who has gone before. The Financial Commissioner has in the last portion of his speech admitted clearly that this burden would in future be removed. He has stated that the banking concerns or institutions would be held responsible for the salary of this gentleman. The question arises, why these institutions were exempted and the provincial exchequer burdened so far ? We now move that this burden be removed from our shoulders. Is there anything which can be characterised as unjustifiable ? That is the sole point. We have no dispute with the Financial Commissioner as to the onerous duties performed by this gentleman. (*Hear, hear*). We have no dispute with him as to the necessity of this post. What we object to is that he should be paid from the provincial revenues and not by the banking institutions which benefit by his advice. The Financial Commissioner should have made it clear whether the Punjab Government was benefitted by his advice in any

manner. So far as the Punjab Government is concerned there is already another Financial Adviser in Mr. Staig. (*Interruption*). If there is already a financial adviser paid by the provincial government I do not see the propriety of retaining another banking expert or another financial adviser who has to advise only private institutions. The services of the Financial Adviser can be easily utilised for the purpose if necessary. With these remarks I beg to support the motion.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) (*Urdu*): Sir, I had no mind to speak to this motion, but as I fear that some misunderstanding might crop up by what the last speaker has said, I take this opportunity to make it clear that we the zamindars do not look with favour upon the principle advocated by the honourable member from Gujranwala. And we wish that the argument he has advanced and the reason he has given for abolishing the post of the banking expert should not appeal to the Government. We fear that if this precedent is established, it will be asked to-morrow that the registrar and the assistant registrar of the co-operative societies are an unjustifiable burden on the revenues of the province. Even to-day some of the honourable members on that side hold that view, and I, therefore, say on behalf of the zamindar members that we dissociate from what the honourable member from Gujranwala has said. This is all that I wanted to say in this connection.

Chaudhri Allah Dad Khan: Sir, I would make a very brief reply to the speech of the Financial Commissioner which has already been practically fully met by other honourable members. It has been said that the banking expert assists central bank organisations with advice, that the amount deposited in the central banks far exceeds the amount which has been spent on the hydro-electric scheme, that it is the duty of the banking expert to see the criticism of the auditor, to train the secretaries of the banking unions, and so on. I submit that these duties can very easily be performed by the deputy registrars the retrenchment of whose posts has not been accepted by the House. The Financial Commissioner who is generally very fond of quoting the instances of other provinces, such as Madras and the United Provinces, has not mentioned the instance of a single province where a banking expert has been appointed. Evidently this is the only province where such an officer has been employed. This officer is absolutely superfluous and unnecessary as has been already pointed out. I would have seen my way to withdraw the motion if a strong case had been made for his retention; but it has been urged all along that this gentleman has only been secured as a temporary measure, and that he will go away in a short time. When the Retrenchment Committee was submitting its report, I am quite aware that it was promised that this officer will go away in a year's time and so on. But he is still sticking to his post.

As regards the question of contract, I may submit that every Government servant is more or less under a similar contract and still their posts are being retrenched; and there is no reason why this post also should not be retrenched. The Financial Commissioner has very elaborately argued this point, and that itself shows that he is advocating a bad case like a specious lawyer, but without convincing the House. With these words I press my motion.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): Sir, I think I may begin by paying my tribute to the good work which Mr. Calvert has done in organising agricultural credit in the Punjab. The services rendered by Mr. Calvert (*An honourable member*: In securing the services of this banking expert) in organising agricultural credit and consolidation of holdings are unique in the history of the Punjab. I am at one with the remark made by the member from Lyallpur that if we could retain the services of Mr. Calvert to control and supervise the future working of the Co-operative Department we would indeed be fortunate. (*Cheers*).

Now, in connection with the post of banking expert, or the financial adviser as we call him, it has been said that his post is superfluous, that he has no work to do, and all that he is doing can be done by the deputy registrars or other officers of the Co-operative Department. It is held that co-operative banking does not need any banking expert. If there is somebody ill, you immediately call in the services of an expert doctor, were we wrong in calling a banking expert to put our banks right? The banking system, I am sure you will agree, requires expert advice. Sir Malcolm Hailey and myself after giving careful consideration to the problem considered that it was desirable that we should obtain the services of a banker who can advise, supervise and control the many ramifications into which co-operative banking was growing. I have been directly asked, what has been the effect of this appointment? I am quite ready to answer that question. One of the improvements which the banking expert effected and which has brought tangible results to the province is the improvement effected in the investments of funds held in reserve by central banks and unions. Our reserves were held in $3\frac{1}{2}$ per cent. Government securities which were deteriorating in value. Immediately he took over charge, he advised the banks that they should invest their reserves to better advantage in short term Government securities. The margin of profit secured by this advice can be calculated at one per cent.; and amounts to Rs. 1,80,000 of profit a year. I am sure, that honourable members will agree with me, that that is no small gain. Then, again, the custom was growing in the Punjab of one central bank making advances to another central bank. These advances were made from one bank to the other, and the danger was that if the Lahore bank lent money to the Lyallpur bank and the former required payment immediately and the latter was not able to meet that demand, the two banks would be placed in difficulties. One of the reforms to which the banking expert devoted his attention was to make the provincial bank the peak bank by stopping inter-lending between the banks and making all loans to the banks through the provincial bank. The result was that when the People's Bank and other banks were in difficulties, we were able to tide over the difficulties with which all banks were confronted. I hope the honourable member from Lyallpur, if he is a director of the central bank there, will bear me out. The provincial bank was able to give support to the central banks by providing funds. If we had no banking expert I am afraid we would have been in difficulties. Not only in the large investments which we had in the Government paper, but also in the matter of enabling central banks to meet their demands when calls were made on them.

Mian Nurullah : What are the qualifications of the banking expert ?

The Honourable Sardar Sir Jogendra Singh : I will be able to mention them. (*An honourable member :* They are to be unearthed). My honourable friend says that they are to be unearthed. But I may say that the qualifications of a banking expert are not a University degree, but banking knowledge and experience. My honourable friend would believe me when I say that a bank like the Alliance Bank was not employing a man who had no banking knowledge and the Imperial Bank would not be prepared to recommend a man in whom it had no trust. It has been said in this House that the banking expert was doing no work when we employed him. Here again the honourable members are wrong. The banking expert was employed up to the date on which we took him by the liquidators of the Alliance Bank, and was getting as good a salary as we paid him. It was at our special request that he gave up that work and came to us. It was not a question of finding work for somebody who had no work to do. (*Shaikh Abdul Ghani :* security and better prospects). As to that, at was only a short term agreement and nothing more. I have mentioned now two particular directions in which the co-operative banking in the Punjab has gained. The third is careful audit of banks and rectifying any objections raised by auditors. It has been said that a banking business ranging round 9 crores can be carried on without the advice of anybody and that the salary paid to our banking expert is excessive and a cheaper arrangement could be made. But if honourable members would devote their attention to the great need to which all the rural members of this House have always directed attention, namely, larger facilities for agriculturists to borrow money at cheap rates, then they will no doubt agree that it is essential that the co-operative system should be put on a sound financial basis, and it is not possible to do so without the help of a trained banker. The question has been raised whether the salary of the banking expert should be met from the provincial revenue or from contribution from the co-operative banks and unions. The answer has been given by the honourable member from Lahore who holds that the provincial revenues should continue to make their contribution in helping the organisation of co-operative credit, and I am sure that every member in this House will agree that in these years of transition when depression in prices has lowered the value of money, when debtors are not able to meet the demands for repayment, it is essential that we should continue to conduct our banking system on sound lines and afford all facilities to the agriculturists.

(*At this stage Mr. President left the chair which the Deputy President occupied.*)

Co-operative banks exist in the interests of the people of the Punjab. When people say that co-operative banks are much worse than the *sahukar* they fail to realise that co-operative banks are nothing more than what the people themselves make them. Co-operative banks are their own banks. They are run by societies, whose members are agriculturists themselves, and if we ourselves fail to do what we wish others to do by us, then we ourselves are to blame. It is by making our societies effective, business-like, prosperous, that we can meet the demands of the agriculturists, and I for one would appeal to this House to support every activity of the Co-operative

[The Hon. Sardar Sir Jogendra Singh.]

Department and to keep vigilant eye on the working of co-operative banking. The banking expert has fulfilled a real need. He has already saved you at least a couple of lakhs a year by his investments and if you keep him I have no doubt that you will be able to put your banking system on sound lines. Time will arrive, when you will need more than one banking expert to make our banks going.

Mr. Deputy President : Question is :

That the grant be reduced by Rs. 30,000 with respect to the item of Rs. 30,000, Pay of Banking expert.

The Council divided : Ayes 20 ; Noes 34.

AYES.

Khan Bahadur Mian Ahmad Yar
Khan Daultana.
Sardar Bahadur Khan.
Khan Bahadur Malik Muhammad
Amin Khan.
Chaudhri Allah Dad Khan.
Chaudhri Nazir Husain.
Khan Bahadur Sardar Habib Ullah.
Khawaja Muhammad Eusoof.
Khan Sahib Mian Noor Ahmad
Khan.
Chaudhri Riasat Ali.
Makhdumzada Sayad Muhammad
Raza Shah Gilani.

Maulvi Imam-ud-Din.
Mian Nurullah.
Khan Bahadur Shaikh Din Muham-
mad.
Shaikh Abdul Ghani.
Rao Bahadur Chaudhri Chhotu
Ram.
Pir Akbar Ali.
Chaudhri Muhammad Yasin Khan.
Shaikh Muhammad Sadiq.
Chaudhri Ram Sarup.
Chaudhri Muhammad Abdul Rah-
man Khan.

NOES.

Col. D. P. Goil
Mr. D. J. Boyd.
Mr. H. Calvert.
Lala Labh Chand Mehra.
Mr. E. Mayadas.
Khan Bahadur Mian Mushtaq
Ahmad.
Sardar Bahadur Captain Sardar
Janmeja Singh.
The Honourable Dr. Gokul Chand
Narang.
The Honourable Malik Sir Firoz
Khan Noon.
The Honourable Sardar Sir Jogendra
Singh.
Mr. P. Marsden.
Mr. R. Sanderson.
Mr. F. H. Puckle.
Mr. R. P. Hadow.
Mr. H. R. Stewart.
The Honourable Sir Henry Craik
The Honourable Captain Sardar
Sir Sikander Hyat Khan.

Mr. J. W. Hearn.
Mr. C. C. Garbett.
Khan Sahib Shaikh Fazl Ilahi.
Mr. S. L. Sale.
Diwan Bahadur Raja Narendra
Nath.
Rai Bahadur Lala Sewak Ram.
Mr. P. Mukerji.
Chaudhri Nathwa Singh.
Chaudhri Bansi Lal.
Khan Bahadur Captain Malik
Muzaffar Khan.
Khan Sahib Makhdum Shaikh
Muhammad Hasan.
Khan Haibat Khan, Daba.
Sardar Mohindar Singh.
Sardar Bahadur Sardar Mohan
Singh.
Sardar Gurbachan Singh.
Sardar Bahadur Sardar Sheo Narain
Singh.
Guru Jaswant Singh.

Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural) : Sir, I beg to move—

That the grant be reduced by Rs. 7,120 with respect to the item of Rs. 7,120, Pay of Personal Assistant to Registrar, Co-operative Societies.

Before this post was created this work was being done by a head assistant. Subsequently an extra assistant commissioner was appointed as the personal assistant to the Registrar of Co-operative Societies. A very strange thing about this is that the man holding the post has no experience of the field, and has received no training in the work of the Co-operative Department. His main duties are supposed to be inspecting the offices of the assistant registrars in the various districts and, secondly, he has to sign the travelling allowance bills and pay bills. These are the two main duties which he has to perform. The burden on the provincial exchequer is to the extent of Rs. 7,120 annually which means about Rs. 600 per month. When this work was previously being done by a head assistant where is the need of creating this post, especially when we have also a European superintendent in the office whose pay is Rs. 500 a month. Both the duties mentioned by me can be easily done by the clerks, and inspection work can be done by the inspecting staff which is already more than is required. The expenditure under this head, as mentioned by the Honourable Minister for Agriculture, has increased within the last ten years more than four times. It was Rs. 62,000 in 1914 but now it is Rs. 10,51,800. The number of societies has also gone up, as stated by the Financial Commissioner from 3,993 to 22,000. So far as the increase in the number of societies is concerned it is the work of the inspecting staff which has increased and not the work of this man who is sitting in his room and doing the clerical work. So this reason for the appointment of this gentleman cannot find any justification. It is quite easy to make out a case for the retention of a certain post by quoting figures from this province or that. You can justify even the commission of a burglary or the committing of even culpable homicide by advancing argument, especially when these arguments are advanced by able and experienced men like the honourable Financial Commissioner, Mr. Calvert. But what we tell you is our daily experience and actual observance ; It is the reality which we put before you. The truth is that this assistant and some other men like him are doing nothing but yawning at their desks and dozing under the fans. You can justify their being by advancing beautiful and learned arguments as you have been doing. One thing which strikes me and which has already been stated by my honourable friend from Sargodha is that whatever cuts we move or whatever criticism we offer here, must be taken in the spirit of criticism itself and nothing beyond that. It should not be considered as a high act of treason that a certain member has moved the cut. It is the duty of the members, and we must do it. It is for you to receive it with an open mind. You should not be bent upon it that whatever post exists and whatever duties are being carried on they are proscribed by God, and you should not budge an inch from that position. It is our duty to tell you and it is for you to listen to our advice or to throw it away. Those who are the messengers of the people, who are the representatives of the people, it is for them to give you the message, it is for you to accept or reject it. It has been argued by the

[Ch. Riasat Ali.]

Honourable Minister for Agriculture that Co-operative Department and co-operative bodies are our own departments and therefore we should not touch them. As it happens to be our own department it is only reasonable that we are moving these cuts. We want to criticise it and to improve it. If we apply our knife to the department, then, in the words of the Honourable Dr. Gokul Chand Narang, it is the surgeon's knife which cures and heals but does not hurt. With these words I move my cut.

Mr. Deputy President : Motion is —

That the grant be reduced by Rs. 7,120 with respect to the item of Rs. 7,120, Pay of the Personal Assistant to Registrar, Co-operative Societies.

Mr. H. Calvert (Financial Commissioner) : Sir, like many other amendments and criticisms which are often made in this House this one also is founded on some misunderstanding. I do not wish to repeat anything which has already been said about the extraordinary growth in this movement. The mere fact that the number of societies has increased from 8,000 when I took over charge of this department to 22,000 to-day will give some indication of the increase of work in the headquarters office. As long as I was Registrar there was no personal assistant. I spent a great deal of my time in touring to see the actual societies. The result was that there was no officer of gazetted rank left at the headquarters, and, as I was leaving, a heavy embezzlement took place, an embezzlement of a sum which could pay the cost of this post several times over. What is perhaps not quite easily realized is that in every big department there is an enormous amount of routine work, the selection of the subordinate staff and clerks, their promotion, punishment and posting, leave applications and acting vacancies, and so on, in all an enormous amount of routine work and in a great many of these cases orders must be passed by a gazetted officer. Take the case of punishment. These orders must be passed by a gazetted officer. There must, therefore, be a gazetted officer dealing with these questions. Now if this cut is accepted and this personal assistant is reduced the only gazetted officer left to deal with this work and headquarter papers will be the Registrar himself, and you will practically reduce the Registrar from a touring officer to a purely office hand. The main function of this assistant is pure economy : you save the time of a more expensive agency by employing a cheaper agency. The personal assistant is a lower paid officer than the member of the Indian civil service holding the office of the Registrar, and you are employing a cheaper agency to carry on a work which will otherwise fall on the higher salaried officers. The duty of the Registrar is mostly to keep the movement going and to check the work of other workers, and do all he can to guide this movement on the soundest possible lines. If he is to be disturbed by the signing of these petty bills he will be quite unable to keep in touch with the movement. The honourable mover was under some misapprehension in saying that the work was previously done by a head assistant. This, I am afraid, is not correct. A head assistant cannot sign these bills. And the fact that the office has now a European official does not help because that official cannot sign pay bills and contingent bills or order punishments, transfers or postings of clerks. Therefore this post is really put there in the interests of economy, and is simply

a question of employing a cheaper agency to save a very highly paid official being put on this work.

Chaudhri Muhammad Yasin Khan (Gurgaon-cum-Hissar, Muhammadan, Rural) : Sir, I have stood up to support the motion now before the House. The honourable Financial Commissioner argued that as the number of co-operative banks has increased the strength of the staff had also to be increased. He did not explain what staff had been increased. Only by seeing the budget one can know that the number of circle registrars, inspectors and deputy registrars has been increased. As regards the personal assistant I do not think it is necessary to get him from the cadre of extra assistant commissioners. No doubt the Financial Commissioner at the time when he was Registrar of Co-operative Societies had a bitter experience of his superintendent upon whom he relied so much, but this does not mean that all the men working in this department are such and cannot be relied upon. Is there no efficient man in the department itself who could be appointed as a personal assistant that an extra assistant commissioner is taken for this post ? Do you think in comparison with the assistant registrars, extra assistant commissioners are better men as regards morals ? In my opinion this post has been uselessly created. Mr. Calvert has defended this department, but sometimes the Government members have to support certain matters against their will. The Government members have to vote unanimously, although individually they might be holding different opinions regarding the same matter. Although there might be very sound reasons against their contentions they would not admit them. They will continue to justify their own position. There is an Urdu verse :—

جب تیرا ہی دل نہ چاہے تو باتیں ہزار ہیں

Then again, Sir, the work of the personal assistant which was mentioned by the honourable Financial Commissioner can be entrusted to the deputy registrar whose headquarters are at Lahore and who has also got a separate staff of his own. Even if you cannot entrust the work to him you can send it with the dāk of the Registrar after him when he is out in camp like so many other papers. This post is absolutely unnecessary. Not only this, the very fact that an extra assistant commissioner is appointed as personal assistant is a great slur on the *bona fides* of the whole department. Can the Financial Commissioner show even a single instance in which any deputy commissioner or any such other officer has ever taken as his personal assistant any person belonging to a department other than his own ? To appoint an extra assistant commissioner as a personal assistant is unreasonable inasmuch as he is not acquainted with the department or with its work.

Then, Sir, regarding the previous cut it could be said that we would be throwing one man out of employment, but regarding the present cut it cannot be said that by accepting it we would be throwing one man out of employment for in this case the personal assistant will have only to go back to his original post of an extra assistant commissioner. At the most he will lose a little sum which is given to him as an allowance.

[Ch. Muhammad Yasin Khan.]

Then, again, I have a complaint against the zamindar members of the Council. Either they are too careless about their own benefit or they are too afraid of the Government. They never oppose it and vote even against their own interests.

اس کھر نو آگ لگ گئی تھ کے چراغ تھ

In the end I will once again emphasise the fact that the post of a personal assistant is unnecessary and also the fact that an extra assistant commissioner is appointed to it is a slur on the department. It would be better if this post is abolished. With these few words I support the motion now before the House.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (Urdu) : Sir, I had no intention to speak on this cut, but after listening to the speech of the honourable Financial Commissioner I feel constrained to express my own views with regards to it. The main argument advanced by the Financial Commissioner was that generally the Registrar, Co-operative Societies, remained on tour, therefore, in his absence some officer to cope with the work of transferring officers, etc., was required. If this is the argument for the keeping of a personal assistant then I would ask why such a post has not been created in the Education Department and also in so many other departments ? In the Education Department in the absence of the Director there should be a personal assistant to discharge such and other duties in order to lighten the work of the Director. The Education Department is more important. But if in this department the head of the department can do without the help of a personal assistant then in the Co-operative Department the Registrar can also do without the assistance of his personal assistant.

My honourable friend from Gurgaon rightly said that the work which is now being done by the personal assistant can be sent to the Registrar with his d k while he is out in camp. Then, Sir, the honourable Financial Commissioner said that the work of making transfers was done by the personal assistant. What can a man from another department know about the staff of this department in order to make transfers of persons serving in it ? An extra assistant commissioner cannot be expected to know which officer will be suitable for a particular place, for he has got no experience of the nature of the work of this department. Possibly the Government can say that any man of any department can learn the work of any other department very easily and in a very short time. They can also quote the example of the Honourable Ministers who usually learn the work of their respective departments very easily and in a very short time. This is quite a different thing, but in the present case there is no need of an extra hand. The Registrar can very well make arrangements for the disposal of the work which is at present entrusted to the care of the personal assistant. But if it is difficult, then, why is it that no personal assistants are given to the other heads of departments ?

In the end I would say that this post of a personal assistant is quite useless, and should be abolished. The Government is uselessly incurring expenditure on account of it. With these few words, I support the motion now before the House.

The Honourable Sardar Sir Jogendra Singh : If I explain the history of this appointment the honourable member who moved the out would very likely withdraw his motion. It was some years ago, when large defalcations were discovered in the Registrar's office, that it was considered desirable to appoint an officer with administrative experience to run that office efficiently. Honourable members are perhaps aware that this office handles very large sums of money. A large sum was misappropriated and could not be recovered. At that time it was considered that it would be an advantage if we secured the services of a trained provincial service officer and appointed him as a personal assistant to carry on the routine work which the Registrar himself was not in a position to do. The wisdom of that appointment has proved itself, for we have heard no more of any defalcations in that office since his appointment. It has been rightly observed that this officer can revert, whenever it is considered desirable, to the provincial service from which his services were borrowed.

The honourable member for Gurgaon and the honourable member for Ferozepore raised another point, and with that I have entire sympathy. They seemed to imply that if we require a personal assistant in the Co-operative Department, that officer should be drawn from the Co-operative Department itself. And as I have the privilege of administering the Co-operative Department, I feel that the point that the honourable members have raised deserves very careful consideration. I acknowledge that the officers in the department have the first claim to any high appointments that may be available in this department, and I for one would welcome much if some young and ambitious officers obtain banking training and also acquire the necessary administrative experience, so that their claims might be considered for these posts for which we have now to draw experts from outside. In the interests of the officers of the department I may assure the honourable members that if any officer acquires the required administrative experience I shall be glad to consider his name for this appointment. But till such an officer is forthcoming, the post has to be filled by an officer best equipped to administer it. In view of what I have said I am sure the honourable member will not press his motion.

Mr. Deputy President : Question is—

That the grant be reduced by Rs. 7,120 with respect to the item of Rs. 7,120. Pay of Personal Assistant to the Registrar, Co-operative Societies.

The motion was lost.

Khan Bahadur Sardar Habib Ullah : Sir, I beg to move—

That the total grant be reduced by Rs. 100.

My object in bringing this motion is to draw the attention of the Government to the ever-increasing necessities of the fruit-growers in the province. As honourable members know the climate of the Punjab is suited for all kinds of fruits, and special attention on the part of the Agricultural Department will be of great help. If we start from Kulu and the low hill stations where we can grow best class of apples, pears, strawberries, cherries and other fruits we come down to the plains we find that we can grow there the best citrus fruit. Even in the sandy deserts one can find beautiful date trees, mangoes and other fruits. I would therefore say that the climate

[K. B. Sardar Habib Ullah.]

of the province is suited to this very useful and profitable industry. I do not at this stage want to minimise the effort that is being made by the department, particularly by the Director of Agriculture, who takes such a keen interest in the fruit-growing industry. As many honourable members know, the exhibition which is held each year shows the important qualities of fruits which have been paid special attention by the department. But what I want to press is this that this effort is not enough, and that something more must be done in this direction. The department has got only one fruit expert. I am afraid that he cannot control such a big area as the whole province and cannot give that attention and advice which is necessary for this industry.

Then again the necessity of nurseries is an important factor if you want to do justice to the fruit-growing industry. Every one who has got some experience in fruit-growing or in the growing of orchard trees knows perfectly well how difficult it is to get good plants from reliable nurseries in the Punjab. No doubt in the Agricultural College at Lyallpur there is some arrangement where they provide certain plants. But I am sorry to say that that arrangement is not enough because whenever you ask for plants they always say that the demand is such that they cannot meet it. Therefore I would like to draw the attention of the department towards these two most important things. One is to provide more facilities for giving advice to those people who want to grow fruit trees and gardens. The other is to provide nurseries for them. In the open market the difficulty of getting good plants is very keen, and the need for a nursery is badly felt. I hope the Agricultural Department will pay special attention to these suggestions.

Mr. Deputy President : Motion is—

That the total grant be reduced by Rs. 100.

Lala Labh Chand Mehra (Non-official, nominated) (Urdu) : Sir I want to invite your attention to the difficulties of the fruit-growers of Kulu. It is a place important by virtue of its successful and prosperous fruit cultivation. But the fruit-growers have a very great difficulty in the transportation of their commodity. It is because there is only one motor road which runs from Kulu to Bejnath. It passes through Mandi State, and the State has given the monopoly of transportation to a motor vehicle company. This company charges heavy freights from the fruit merchants. Recently they made arrangements for their own motor lorries, but the State levied Rs. 10 as toll tax on every lorry, and other difficulties were put in the way.

It is strange that Mandi State cars pass through 100 miles of the Punjab roads, and yet they are not charged a single penny tax, while if the Punjab cars pass through 42 miles of Mandi road they charge such a heavy toll. I would submit that a way must be found out to relieve the fruit-growers from those difficulties. The Mandi State authorities should be requested to remove the monopoly and not to charge such a heavy rate of toll on lorries, and if the State authorities do not agree to this they should be asked to pay the same toll when they transport their commodities through the Punjab,

and the Kulu fruit-growers should be provided with some other road which may not pass through the Mandi State.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): Sir, The interest that the House has shown in the development of agriculture and allied industries, gives me hope that the last year of my service will not be without some use to the province. The motion, which the honourable member from Lahore has moved, has my sincere sympathy, and he will be interested to hear what the department has already done in that direction. The department has now a very large nursery at Lyallpur with smaller subsidiary ones at Gujranwala and Jullundur. There is also a nursery in the Lawrence Gardens at Lahore. The total number of fruit plants sold from these nurseries is about 9,000 annually. I agree with the honourable member that our supply is not adequate to meet the demand for really good guaranteed plants. But to increase the supply, private nurseries have been taken under the supervision of the department, and there guaranteed plants can be obtained. We are also establishing fruit orchards in some of our district farms. The department is also issuing a list of nurseries managed by men in the Punjab who have agreed to have them inspected by the department of agriculture and who have agreed to offer reliable plants. The department has made preliminary preparations for a large experiment on the citrus stock in order to determine what stock is best suited for grafting the various kinds of citrus plant. At the meeting of the fruit growers of the Punjab held in December last on the occasion of the annual fruit show a resolution was passed asking the department to increase its expenditure on its nurseries. This matter is now engaging our attention. Three short courses are given annually by the Fruit Specialist in Lyallpur on fruit gardening and fruit preservation. An annual fruit show is held at Lahore for the encouragement of growers of fruit which affords an opportunity for all the fruit-growers coming together and discussing their difficulties as well as permitting them to display their products and secure sales. The staff of the fruit section at Lyallpur visits the orchards of fruit-growers on request and advise regarding matters connected with fruit-growing generally. The staff also advises on all enquiries regarding the lay out of fruit orchards, the varieties of fruit which could be grown, the selections of seeds, etc. The staff of the fruit section encourages and assists in the formation of fruit-growers' associations wherever there is a prospect of establishing them successfully. The department has submitted to the Imperial Council of Agricultural Research a scheme costing Rs. 15,980 spread over three years to enable it to conduct experiments on the preservation of fruits, particularly those which now go to waste in all parts of the province through being unsaleable. This scheme has just been sanctioned by the Imperial Council of Agricultural Research, and it is expected that work will start shortly. The results of the experimental work which will be carried out will surely be of very great value to fruit growers. The honourable member from Amritsar pointed out the difficulties of transport which fruit growers in Kulu experience in getting their fruit to the railway line. This matter too has been brought to my notice more than once and is engaging the attention of Government, and we may hope that some improvement in that direction will be possible.

In view of what I have said I do not think the honourable member would care to press his motion.

Khan Bahadur Sardar Habib Ullah : In view of the remarks of the Honourable Minister, I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Mian Nurullah [Lyallpur South, Muhammadan, Rural], (Urdu)
Sir, I beg to move—

That the total grant be reduced by Rs. 1.

Sir, if you cast a glance at the budget you will find that the Government spends 20 lakhs of rupees on the Agriculture Department. But in spite of spending this huge sum of money for the sake of the rural population of the province the Government has not been able to win a good name. People have always expressed their dissatisfaction at the work done by the Agriculture Department. What is the reason? Why has not the Government inspired the people with confidence even after spending such huge sums of money for the betterment of their condition? The reason is not far to seek. The Government has not as yet made any provision for making the people familiar with the work done by their various departments. If the Government were to effect 5 per cent. cut in the expenditure of the Agriculture Department just as was done in the case of other departments, they could very easily get one lakh of rupees in order to start propaganda work in the interest of both the people and the Government. And if a 2 per cent. saving is made in the expenditure of this department, Rs. 40,000 will be saved which will be quite sufficient to meet the expenditure of propaganda. The Government now-a-days is hardly getting 15 or 16 lakhs, worth by spending 20 lakhs of rupees. But if provision is made to spend the proposed amount of money on propaganda-work the value of 20 lakhs spent would be doubled. The research work which is done in the laboratories and other places does not go outside the walls of these institutions. At the most the people residing at a distance of a few miles from the cities where research work is carried on come to know only of a little bit of it. The swarming millions who inhabit the rural area do not have an iota of familiarity with all this work of improvement. I, therefore, would strongly recommend that at least one lakh of rupees should be spent by way of propagating the work of Government departments amongst the people, and if this is done I hope the province will come to have a profit of one crore of rupees from this investment. The honourable member from Sheikhpura who is not present to-day pointed out the other day that the people consider the Agricultural College of Lyallpur as a white elephant. If the Government had started propaganda-work earlier, such notions would not have gained ground amongst the rural population, and the illiterate zamindars would have been in a position to appreciate the work done by that college. I need hardly point out that propaganda work is almost a necessity in modern times. All the greatest business concerns of America spend huge sums of money on advertisements. In this way they not only popularise their commodities but find big markets for their consumption. Now if the Punjab Government were to start the work of popularising the commodities of this province by doing extensive propaganda they will also be able to create markets for the sale of the goods. I think the example of Indian Central Cotton Committee in this respect is worth emulating. The Committee last year engaged a highly qualified propaganda officer who has done a lot of

good work within a short time. All the work done by the Committee is propagated through pamphlets and newspapers, and the public is enlightened about all their activities by reading those pamphlets. I have one of those pamphlets with me which is written by their able propaganda officer B. D. Mehra, M.A., Agri. (Oxon.) B.Litt. (Oxon), etc., etc. The pamphlet is entitled "The Indian Central Cotton Committee" Its objects, activities and achievements, and a very elaborate survey of the work of this organisation is made in it. I am sure that these pamphlets will go a long way to establish the reputation of the Cotton Committee in every section of Indian opinion. But what has our Government done in this respect? I understand that they have been putting obstacles in the way of those who want to do healthy propaganda-work in the province. A few days ago Shah Sahib, the proprietor, *Daur-i-Jadid* told me that he had asked certain very able professors to contribute articles to his paper on useful scientific, historical and agricultural topics, but the department stood in his way and he could not publish them in the annual number of his paper. I must confess that I am at a loss to understand the reason which lay under this order of banning the publication of such useful articles in a public newspaper. The Government, on the other hand, should encourage those people who come forward to promulgate knowledge and diffuse learning in this country to the illiterate and the unenlightened. In other countries such writers are given high remunerations for their work. I would urge once more that unless and until the Government make arrangements for letting the people know of the work of their various departments they will not be able to truly appreciate the efforts of their benefactors. It would be perhaps of some use for the Government to know that the zamindars cherish grave suspicions about the work of the Agricultural Department. They think that the departmental farms are meant to show the greater amount of yield in order to enable the Government to fix a high rate of land revenue. So it is almost a necessity to appoint a propaganda officer who may be able to remove all such misunderstandings. And if you cannot afford to appoint an officer from outside I should like to suggest that some officer may be taken from the provincial service to do this important work. I assure you that you will get ample compensation for the money spent on the salary of this new officer. The people will be able to form a true opinion about the work of the Government departments, and the provincial receipts will be considerably increased in due course of time. With these words, Sir, I commend my motion for the acceptance of this honourable House.

Mr. Deputy President : Motion moved—

That the total grant be reduced by Rs. 1.

Shaikh Abdul Ghani [West Punjab Towns, Muhammadan, Urban] : Sir, this is a motion of doubtful utility, because it just pins down the House to a particular line of action and entails rather what might be considered to be unnecessary expenditure which is suggested, that is, Rs. 40,000. Had the object of the motion been to draw the attention of the department to undertake propaganda work and leave them free to decide whether they are in a position to engage a particular officer for the object of extending their activities in the form of propaganda work, it would have been a different thing. But here without any means of ascertaining whether the scheme would be successful or whether at this stage it is desirable and necessary,

[Sh. Abdul Ghani.]

and whether this additional expenditure of Rs. 40,000 would be repaid, all these things cannot be thoroughly gone into and discussed at this stage. So I would simply make a request that if the Honourable Minister for Agriculture is pleased to give the undertaking that he will give his best attention to the question of propaganda work in the province, that might satisfy the honourable member and he would withdraw his motion.

Khan Bahadur Sardar Habib Ullah [Lahore, Muhammadan, Rural], (Urdu): Sir, I have risen to lend my support to the motion now before the House. As far as I think, propaganda work must be begun by each and every department of the Government. Intensive efforts should be made to acquaint the people with the endeavours that are being made by the Government to better the condition of this province. I understand that Mr. Brayne, Commissioner, Multan division, did very useful work in this line, and our learned Chief Secretary also took much pains to do propaganda work at the time he was a Deputy Commissioner. But such efforts on the part of individual officers do not serve much useful purpose. What we really need is the establishment of a separate institution, the exclusive business of which should be to carry on intensive propaganda in favour of the various departments of the Government. The Information Bureau is also doing very useful work, but this is not exactly the sort of work which we demand at this time. I would like to make a suggestion here. Our able and learned Financial Commissioner, Mr. Calvert, is shortly going to retire from service. We would certainly do well to ask him not to leave us but take the work of propaganda in hand. He is an officer of outstanding ability and very vast experience, and his services will be of immense benefit to the cause of this province in this sphere of activity as well. I hope he will not refuse to accede to our request. I am not unaware of the fact that a little propaganda work is already being done by Education, Agriculture and Public Health Department. But I would still submit, with all the emphasis I can command, that this work cannot be satisfactorily accomplished unless a separate department is reserved for it. The difficulty now is that when a deputy commissioner or any other officer desirous of this sort of work is transferred, his work is not taken up by his successor, and so no result can be achieved. It is high time that all the three Ministers should give their considerate attention to this thing and join hands to see a separate propaganda department established. Because the work pertains to all departments alike, therefore, all the Ministers should work hand in hand to evolve a scheme in order to give this suggestion a practical shape. The modern invention of the loud speaker and radio can be put to considerable use for carrying on propaganda in all the distant places. Broadcasting centres are now-a-days established everywhere in the world, and all nations are getting immense benefit from this invention. Why should our people not avail themselves of this blessing of science. The Government can easily spend two or three lakhs of rupees for this useful work. They should take immediate steps to establish radio stations in all their schools and colleges. In this way a professor speaking in the Agricultural College, Lyallpur, will be heard by those residing in various villages and cities of the province, and his lecture on useful agricultural topics will be appreciated by all the people of the country. The Government should

not be afraid of the bugbear of financial stringency at the time of spending money on schemes of public utility. They should bear in mind only this fact that the money thus spent will bring considerable profit. For example, now the people of villages do not know what are the rates of various commodities in the market and how they compare with the rates prevailing in the village. But after the successful establishment of the propaganda system the zamindar will at once come to know what the rate of wheat in the market is. So he will be able to make profit by the timely sale of his commodity, and his prosperity will increase the receipts of the Government. So the Government should stop at nothing to provide money for pushing on this scheme proposed by the honourable member from Lyallpur who has done a service to the province by bringing forward this motion. I hope the Finance Department will readily advance any sum demanded for this purpose. With these words, Sir, I lend my whole-hearted support to this motion.

Mr. E. Mayadas (Non-official, Nominated): I rise to support this motion. A few years ago I had an opportunity

5 P.M.
of going to Lyallpur in the company of Mr. Milne, the Director of Agriculture and another gentleman, who showed me the different experiments that were being carried on in the Agricultural College there and the results achieved by that time. I was extremely impressed with the results, and I at once asked Mr. Milne, "why is it that you do not let the outside public know about the work which is being done here?"

I had an opportunity of going to Lyallpur again about 2 years ago, and this time I was shown the work that was being done in the fruit section. There again, I was surprised to see the great results that had been achieved and the wonderful work that was being done. Again I put the same question. I believe that the department is suffering considerably because of this lack of information to the public all round the Punjab. When we see that large sums of money are being spent in advertising in other countries, it is clear that those people have realised that spending money on advertisements brings back a gain many times over. In the same way we should also advertise not only all the good work of the Agricultural Department, but of other departments also. That will do the province a considerable amount of good, and I therefore have great pleasure in supporting the motion.

Pir Akbar Ali [Ferozepore Muhammadan, Rural], (Urdu): Sir, I rise to oppose the motion now before the House. I have realised to-day that a jat is after all a jat even if he has been to England. I am at a loss to understand how the honourable mover thought it fit to press for the appointment of a propaganda officer. He should know that the Department of Agriculture has so far done nothing, and is rather an unnecessary burden on the zamindars. We sow wheat, we sow charas and many other crops and do all sort of labour, but the department remains content with doing nothing except getting their salaries. If we produce wheat 8-A or cotton 4-F the credit goes to the department for making propaganda. I wonder what sort of propaganda is needed. If perchance a zamindar purchases improved implements of modern type the department claims credit for it. Sir, the propaganda made by the department does not help us in any way. The department says, plough the land thoroughly, use better seeds, and put manure in your land. We do that, and if we get better results, I do not

[Pir Akbar Ali.]

understand with what show of reason the department can claim credit for it. The department has never asked the zamindars to use a particular cotton seed which is immune from disease. I ask again what sort of propaganda you require, and how it would benefit the zamindars. With these words I strongly oppose the motion.

Khan Bahadur Mian Mushtaq Ahmad Gormani (Non-official Nominated) (*Urdu*): Sir, it is really inconsistent on the part of the honourable mover to ask for the appointment of a propaganda officer when he has in fact been urging upon the Government the advisability of reducing certain posts of officers. Perhaps he thinks that it is the Department of Agriculture alone in which the zamindars can obtain employment. But these are very hard times, and we cannot afford to create such appointments. Besides all the officers of this department are capable persons and possess technical qualifications. The propaganda work can be entrusted to them. They have no practical work to do. They can do the propaganda work. I would not attack the department for I realise its difficulties. The department is working with a very limited number of officers. They cannot be expected to carry the agricultural development of the province to the utmost extent. Their number is very limited. Unless the financial stringency is over we cannot afford to increase their number. For the time being we must remain content with the gradual progress they are making towards the agricultural development of this province. With what we are concerned at present is that we should see that these officers should perform their duties in right earnest. My experience about this department is not very happy. There is one Extra Assistant Director of Agriculture in each district and one Agricultural Assistant in each tahsil. They are expected to do what is physically impossible for them to do. You require these officers to popularise the improved agriculture amongst the zamindars. But with a limited number of officers you cannot do that. It would be much better if you select suitable places and establish demonstration farms side by side the fields of the zamindars.

(At this stage Mr. President resumed the chair.)

They would certainly derive a considerable benefit by the presence of such farms. Sometime back experimental farms were opened in some districts. But these farms have done more harm than good to the zamindars inasmuch as the report that such and such farm has up to the month of November produced 20 or 25 maunds per acre, creates a wrong impression in the minds of the authorities about the prosperity of the zamindars. If with the best land, with the purest water and with the strictest control and supervision we produce better results that is not a thing to be very much proud of. We should make experiments under the ordinary circumstances. It would be the best sort of propaganda if you establish demonstration farms side by side the fields of the cultivators. To spend a large sum on the employment of an extra officer in these hard times would not be a wise policy. I, therefore, hope that the Honourable Minister would not agree to any proposal which involves new expenditure.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): Sir, I am in a happy position again to be in complete accord with

the mover of this motion. It gives me hope that this House freed from communal complexion, will settle down to work in improving the peace and prosperity of the province, and that the new constitution, when it comes, will give to the Punjab an impartial, good and beneficent Government. It is in this hope that we work for the future of this province.

The mover of this motion is convinced, by his visits to the Lyallpur Agricultural Farm, of the work that is being done, and feels that the results should be available not only to the people of Lyallpur but to the people of the Punjab as a whole. Honourable members who have objected to this motion perhaps have never taken the trouble to visit Lyallpur or to enquire if any results have been obtained. They seem to think that since they have come across no improvement which they would regard as improvement, no improvement has taken place. Pir Akbar Ali lightly talked of 8-A wheat and 4-F cotton. Can he tell me or any other member in this House tell me who produced this 8-A wheat or 4-F cotton? Did it exist before the Agricultural Department was formed? Will he or any of his friends be prepared to give up the new seed and say: "Let us discard it; it is of no value"? I think Pir Akbar Ali should give credit to the Agricultural Department for the work that it has done.

Shaikh Muhammad Sadiq: On a point of order. The question relates to the appointment of a propaganda officer. Is the Honourable Minister supporting it or not?

The Honourable Sardar Sir Jogendra Singh: If the honourable member had been in the House on a previous occasion, he would have observed that members raised the question, and it was agreed that if there was anything useful which the people ought to know it should be advertised for the benefit of the people. The honourable member from Muzaffargarh laid a great deal of stress on the point, that officers of the Agricultural Department come round and tell people to improve their cultivation, to use better seed, to apply water properly to their crops and so on. Scientific agriculture which is being adopted by many countries with advantage has proved, that better yields can be secured with better cultivation, better seed and application of proper manures. I can inform honourable members, we have now got at Lyallpur expert officers in charge of each crop and they are producing new crops which promise to beat 8-A wheat and 4-F cotton. There is already new wheat in the fields which is better than 8-A. There are new cottons with longer staple promising larger yields. If honourable members know that at present Bombay is importing long staple cotton from outside, they will realise the need for improving our own cotton and for meeting the demands of our home markets. With regard to oil-seed, there is now an oil-seed expert who is hoping to produce a high yielding oil-seed. There are new crops such as monkey nuts and soya beans which have established themselves in some districts. As for the Coimbatore cane, honourable members know that it has been produced by the Agricultural Department within the last 15 years, and is rapidly replacing indigenous sugarcane. Therefore there can be no question that the Agricultural Department has something to offer, and there is no other method of bringing this offering to the notice of people than propaganda, propaganda by all kinds of means which are at the disposal of the department. I entirely

[The Hon. Sardar Sir Jogendra Singh.]

agree with the honourable member from Muzaffargarh that to convince the villager of the benefits of modern agriculture, there could be no better propaganda than to have demonstration plots side by side with the cultivators' fields. We have at present 3,000 demonstration plots scattered all over the province in the cultivators' fields, which demonstrate the advantages of our own methods of cultivation. The honourable member will be interested to know that the question of appointing a propaganda officer was taken up immediately I assumed office in 1926, and in 1927, almost according to the wishes of the honourable member for Lahore, a committee was appointed to co-ordinate propaganda of all the beneficent departments. The question was discussed at a meeting of all heads of departments in 1928, and it was decided that a propaganda officer should be appointed; but on account of financial stringency the matter had to be postponed. In the meanwhile we have improved "seasonal notes" which give information of the work that is being done. I have recently asked the head of the department to bring out brochures on each crop for distribution to the people. Two years ago a demonstration train went round the province demonstrating what was being done by the department. So far as the department is concerned, it is anxious that the advantages of improved agriculture should be brought home to the people, and I can assure the honourable member that not only we are doing our best in this direction but the Royal Commission on Agriculture laid a great deal of stress on the advantage of propaganda to promote agriculture. As opportunities occur, I can assure the honourable member that the department will do its best to intensify its propaganda. I hope that in view of what I have said, the honourable mover will not press his motion.

Mian Nurullah (Urdu): Sir, a very short time is at our disposal and we have still many demands to consider. Therefore I would briefly touch on one or two points. The honourable member from Muzaffargarh district has said in his speech that unless demonstration farms are established side by side with the cultivators' fields very little material advantage can accrue to them by mere propaganda. In reply to this the Honourable Minister for Agriculture has stated that the Department of Agriculture is already running about three thousand demonstration farms. I say if a propaganda officer, as I have suggested, is appointed the beneficial results obtained from these farms can reach the whole population quickly. My honourable friend from Ferozepore has criticised my suggestion rather harshly. He said that the department had so far done nothing. Even if it be so where is the harm if we try to make the zamindars aware of the achievements of the zamindars of other countries and of the success of any zamindar of this country. To-day the honourable member from Gurdaspur told me that a zamindar of his district had been able to produce 40 maunds of cotton per acre. If there is a propaganda officer, he would make this fact known to all the zamindars of this country, and it is possible that the latter may also resort to the same methods which the said zamindar has adopted. I am living very near Lyallpur, but I had no time to visit the demonstration farm at Lyallpur. Of course I sent my munshi there to see what results this particular farm had produced. After visiting the farm he told me that in that farm one acre produced about 20 or 25 maunds.

I thought that this increase in yield was due to the fact that where we use two seers of seeds and get 5 or 6 maunds cotton per acre the authorities in that farm use 10 or 12 seers of seeds and get 20 or 25 maunds cotton per acre. But my munshi contended that this was due to the abundant supply of water. Anyhow, if I had known it two years before, you can well imagine how much more I would have gained. I understand that the zamindar, about whom the honourable member from Gurdaspur told me this morning, divides his land into small fields five feet apart, by the sides of each field he digs pits two feet deep and fills them with manure which gives nourishment to the cotton plants, which are sown in those pits. Efficiency of water is thus greatly increased also. If a propaganda officer is appointed, I am sure, the zamindars would not remain in the dark about such achievements and consequently would gain much. Now that the Honourable Minister for Agriculture has given an assurance to the effect that as soon as the financial stringency is over, a propaganda officer will be appointed, I beg leave to withdraw my motion.

The motion was by leave withdrawn.

Mr. President : Question is—

That a sum not exceeding Rs. 40,39,500 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1934 in respect of Agriculture (Transferred).

The motion was carried.

MEDICAL AND PUBLIC HEALTH.

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

That a sum not exceeding Rs. 48,82,400 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 1934 in respect of Medical (Reserved and Transferred) and Public Health (Transferred).

Mr. President : Motion moved—

That a sum not exceeding Rs. 48,82,400 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 1934 in respect of Medical (Reserved and Transferred) and Public Health (Transferred.)

Shaikh Muhammad Sadiq : I beg to move—

That the grant be reduced by Re. 1 with respect to the item of Rs. 10,50,100,; Public Health.

The Honourable Malik Sir Firoz Khan Noon : On a point of order. The honourable member is going to discuss the action of the Secretary of State for which neither I nor this Council is responsible. Is he in order in discussing this matter ?

Shaikh Muhammad Sadiq : I can ask the House to throw out the whole grant. The Secretary of State has no power to stop me doing it.

Mr. President : Is the item from which Re. 1 is proposed to be reduced voted or non-voted ?

The Honourable Malik Sir Firoz Khan Noon : The Director of Public Health is an Indian Medical Service officer, and it must be non-voted. The present director who has been appointed under the Secretary of State's order is an Indian Medical Service officer whose salary, I believe, is non-voted.

Mr. President : The amount proposed under this demand does not cover the pay of the Director of Public Health.

The Honourable Malik Sir Firoz Khan Noon : When the budget was printed it was a voted item but since then a change has taken place and now it is a non-voted item.

Mr. President : How does the Honourable Minister propose to correct the mistake? The Honourable Minister shall have to withdraw the whole demand and move another one.

The Honourable Malik Sir Firoz Khan Noon : I do not want to do that. Let him discuss it.

Mr. President : But the Honourable Minister himself said that the item was non-voted.

The Honourable Malik Sir Firoz Khan Noon : When the budget was prepared it was a voted item. Sometimes an Indian Medical Service officer may be holding the post and at another time a non-Indian Medical Service officer may be holding it. The present Director of Public Health has been put under certain orders and yet the matter is under consideration of the Government, and the same officer as before may be made to hold the post for aught I know.

The Honourable Sir Henry Craik : May I suggest that the item be put to the House in the ordinary course and voted upon? If the House passes it no difficulty arises. If the House does not pass we will consider what course to adopt.

Mr. President : Is the Honourable Minister prepared to move the item as a voted item and to say that there is no mistake about it.

The Honourable Malik Sir Firoz Khan Noon : Yes, Sir.

Shaikh Muhammad Sadiq (Urdu) : Sir, you are aware that on Colonel Gill retiring from service about four years ago Mr. Rahman was appointed in his place as Director of Public Health. Now after a period of about four years we learn all of a sudden that there are some rules or orders, I know not what to call them, by the Secretary of State which require that this post must be held by a member of the Indian Medical Service. Such an order at this time when we are on the eve of bidding good-bye to the old *regime* and when important subjects like the administration of justice are going to be placed under popular control, looks, to say the least, absurd. I fail to see why an officer of tried merit who has served the Government for over 25 years and who has spent the best portion of his life in giving satisfaction in the performance of his duties, should be pushed aside and compelled to make room for a junior officer simply on the ground that that junior officer happens to have three letters attached to his name. I can understand interference by the Secretary of State in the reserved subjects, but how this interference by him in a transferred subject about which even the Governor does not possess powers other than of an advisor, can be justified. The Parliament itself has placed the transferred subjects under the popular control by an Act of its own, and I wonder why the Secretary of State who is a member of that Parliament should, sitting at a distance of about 7 thousand miles, issue such an order about a transferred subject and insist on the appointment of an officer of the Indian Medical Service

as the Director of Public Health. Lest I should be misunderstood I might say that I have no grudge against the members of this service. I do not say that they should be shunted out. I rather appreciate their merit, and I know that they are very capable men, and I would never have objected to the appointment of an Indian Medical Service officer to this post if he had been senior to Mr. Rahman. But to remove Mr. Rahman in this arbitrary manner simply because he has not those three letters attached to his name, appears to me ridiculous. This is really very strange, and we should all enter a strong protest against this action or order of the Secretary of State, and refuse to abide by his order about a transferred subject. And if we put up a bold fight I do not think that we will be shot with a gun or a revolver. We should convey to the Secretary of State that we resent these orders very much, and if he should insist on the enforcement of his orders even after that, we should abolish this post altogether.

The Honourable Captain Sardar Sir Sikander Hyat Khan : It is a non-voted item, and you cannot object to it.

Mr. President : May I just point out to the Honourable Leader of the House that the demand was allowed to be moved on the understanding that the pay of the Director of Public Health was a voted item. If it is a non-voted item, the demand shall have to be withdrawn and presented afresh after being corrected.

Shaikh Muhammad Sadiq : This is really strange that we cannot touch this post at all. It means that the Government by appointing as the head of every transferred department a member of the Imperial Service, can prevent us from exercising our powers with regard to the transferred subjects. Admitting that we cannot touch the salaries of such officers we can refuse to give them assistants and chaprasis, and thus bring the work of the departments under their charge to a standstill. Their pay will be shown on the paper alright, but their existence we can endanger by refusing the grant relating to their departments.

Mr. President : When the object of the honourable member's motion is to reduce the demand by Re. 1 to discuss the question of the appointment of the Director of Public Health, it is useless to argue that the whole demand may be omitted. If the honourable member wishes to oppose the whole demand he can do so when it is proposed from the Chair.

Shaikh Muhammad Sadiq : Very well, Sir. Before I close my remarks I shall again say that we keenly resent this interference by the Secretary of State in a matter like this, and we should like that our feelings on the subject should be conveyed to him. We are taunted for considering questions of public importance communally, and we are advised to give up this communal outlook. But may I ask whether it is not a gloomy picture of communal outlook to reserve certain post for a certain class of service? I think I have said enough to show that we do not like such interference, and we wish that the Secretary of State had not insisted on the appointment of an Indian Medical Service officer to this post without any regard to juniority or seniority. With these words I commend my motion for the acceptance of the House.

Mr. President : The motion moved is :—

That the grant be reduced by Rs. 1 with respect to item of Rs. 10,50,100, Public Health.

Khan Bahadur Shaikh Din Muhammad : Sir, I would appeal through you to the Honourable Minister for Education to explain the facts of this case to the House so that the House may know under what powers the Secretary of State interfered in this matter and on what notification he has based his ruling? It is a very important matter, and I would appeal through you to the Honourable Minister to throw light on it.

The Honourable Malik Sir Firoz Khan Noon : Sir, under the Government of India Act the Secretary of State has power to make certain rules called the Devolution Rules. Under these Devolution Rules he can reserve certain posts in the province for Indian Medical Service officers. To those posts only Indian Medical Service officers can be appointed. I need not go into the posts reserved for Indian Medical Service officers in the departments other than Public Health. The position with regard to the Public Health Department is that up to May 1923 the post of the Director of Public Health was not reserved for an Indian Medical Service officer. In 1923 the Secretary of State issued an order to reserve the post of the Director of Public Health for an Indian Medical Service officer. That post continued to be reserved for an Indian Medical Service officer up to 1928, when he issued further orders by which he suggested that this post is no longer reserved for Indian Medical Service officers. Now the stand the Secretary of State has taken is this that any officers of the Indian Medical Service, who went to the provinces between 1923 and 1928 may have gone there under the expectation that they will be made Director of Public Health in various provinces. Therefore, he felt that if there are any officers of the Indian Medical Service, who went into the provinces between 1923 and 1928, they must be given this post of Director of Public Health in preference to other officers. Now the position with regard to the present situation is that we had under these orders to accept one of the Indian Medical Service officers, who went into the province between 1923 and 1928, or else to appoint an Indian Medical Service officer who happened to be in the Public Health Department in our own province. So we were faced with this situation that we had to appoint Major Malhotra as the Director of Public Health in preference to Dr. Rahman who had officiated as such off and on for about 4 years. If we had not done this the Government of India would have sent an Indian Medical Service officer from outside. So we had to appoint Major Malhotra. This post has been disposed of according to the orders of the Secretary of State. Now the present position with regard to the reservation of the Indian Medical Service officer in the Public Health Department is this that although the post of the Director of Public Health is not reserved for an Indian Medical Service officer, the post of the Assistant Director is reserved. Under the existing rules we must have Indian Medical Service officers as assistant directors of public health. At present we have three assistant directors already who are permanent incumbents. We are yet waiting to hear from the Government of India what their orders on that subject are. I have given you bare facts about the position with regard to the Indian Medical Service officers in the Public Health Department,

and this is with regard to the request made by the honourable members, and I hope that if any other information is required I shall be only too glad to give it to them.

Sardar Buta Singh : What is going to be done with Dr. Rahman ?

The Honourable Malik Sir Firoz Khan Noon : He will become Major Malhotra's assistant. There are three posts of assistant directors. One is held by Dr. Rahman, the second by Dr. Butt and the third by Dr. Arora. Under the rules we must have one Indian Medical Service officer as Assistant Director of Public Health under Schedule I and under Schedule II, two posts of Assistant Directors of Public Health are reserved for Indian Medical Service, so I am told by the Inspector-General of Civil Hospitals.

Mian Nurullah : May I enquire from the Honourable Minister on whose insinuation or instance the Secretary of State did so ?

The Honourable Malik Sir Firoz Khan Noon : Not on our recommendation. We have been ordered to appoint an Indian Medical Service officer.

Rao Bahadur Chaudhri Chhotu Ram (South-East, Rohtak, Non-Muhammadan, Rural) : Sir, so far as particular individuals who have either been sent away from the directorship of this department or put in, I have nothing to say. Individuals in a matter of this kind do not matter at all. But this case raises a grave question of principle and policy. The facts which have been disclosed by the Honourable Minister clearly show that the Secretary of State can, if he so wishes, at any time reserve a particular post for the Indian Medical Service officers, and he can again take that particular post out of the category of reserved posts, and, then again, he can change his mind a third time and reserve that post for an Indian Medical Service officer. Well, this is really very provoking, and such interference on the part of a gentleman who is at a distance of six or seven thousand miles from here, is extremely undesirable, and makes an end of all powers of self-government, that have been given to Ministers in the transferred field. So long as the Secretary of State possesses the authority to insist that a particular post should be reserved or should be taken out of the category of reserved posts, we are in a state of helplessness. But what we can do is to enter a very strong protest against the manner in which the discretion of the Secretary of State is used, and has been used in this particular instance. The object of moving this cut is to strengthen the hands of the local Government to fight against this arbitrary exercise of discretion on the part of the Secretary of State, and further to strengthen the hands of our Ministers to put up a strong fight against such arbitrariness.

During the course of the statement that was made by the Honourable Minister for Education it has further transpired that two posts of assistant directors of public health are also reserved for the Indian Medical Service, and that there are, at present, three assistant directors of public health, and all the three gentlemen happen to be non-Indian Medical Service officers. Dr. Arora, Dr. Butt and Dr. Rahman, are all non-Indian Medical Service officers. If the Secretary of State again takes it into his head to insist that two of these posts should be given to officers of the Indian Medical Service the Punjab Government will be compelled to comply. The result

[R. B. Ch. Chhotu Ram.]

would be that the poor Minister and the local Government would be compelled to send away two more men out of these three gentlemen, inspite of the fact that they have been working satisfactorily for a number of years, have been confirmed and the Honourable Minister and the local Government are fully satisfied with their work, character and conduct. This is a position which should be resented very keenly by the Honourable Minister as well as by the local Government as it is being resented keenly by the House. Therefore, though it may or may not be able to wipe out the act of injustice that has been perpetrated by the Secretary of State in this particular instance the local Government should put up a strong fight. I also feel that the Honourable Minister ought to try his best to persuade the local Government to make very strong representations on the subject of the arbitrary manner in which the Secretary of State has used his discretion in this particular instance.

The Council then adjourned till 2 p. m. on Thursday, 16th March, 1933.

PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Thursday, 16th March 1933.

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

STARRED QUESTIONS AND ANSWERS.

GRIEVANCES OF GOVERNMENT SERVANTS.

***2363. Mian Nurullah :** Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that during the last few months the Government circulated a letter prohibiting or purporting to prohibit all Government servants from communicating their grievances to any member of the Council ;
- (b) if so, will the Government lay a copy of any letter issued to that effect on the table ;
- (c) whether the Government mean that no Government official should be able to approach a member of Legislative Council with his grievances or inform him of any irregularities or defects in the machinery of the Government ;
- (d) the special reasons, if any which led the Government to circulate this letter or whether the Government has been circulating these instructions periodically ;
- (e) if so, under what rule and for what reason ?

Mr. C. C. Garbett (Chief Secretary) : (a) Yes : Government have re-issued the previous instructions on the subject.

(b), (c), (d) and (e) The honourable member is referred to the reply given to question No. 1705¹ asked by Mr. M. A. Ghani in March 1930 to which Government have nothing to add.

ANGLO-VERNACLULAR SCHOOLS IN TOBA TEK SINGH.

***2364. Mian Nurullah :** Will the Honourable Minister for Education please state—

- (a) how many anglo-vernacular schools there are in tahsil Toba Tek Singh ;
- (b) the nearest anglo-vernacular middle school to Chak No. 284-G.B., tahsil Toba Tek Singh ;

[Mian Nurullah.]

- (c) how many students there are in the vernacular middle school, Chak No. 284-G.B. ;
- (d) whether he is aware that many students are deprived of English education as there is no anglo-vernacular middle school near it ;
- (e) whether the canal rest-house, Bhagat, and police station, Rajana, are situated close to it, and the children of officials are also deprived of English education ;
- (f) whether the Government is prepared to make that vernacular middle school of Chak No. 284-G.B. as an anglo-vernacular middle school for the interest and benefit of the zamindars of that *ilaga* and the officials of police station Rajana and canal rest-house, Bhagat ;
- (g) if not, why not ?

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

HEADMASTERS UNDER THE INSPECTOR OF INDUSTRIAL SCHOOLS.

***2365. Mr. Muhammad Din Malak :** (i) Will the Honourable Minister for Local Self-Government kindly state—

- (a) the number of headmasters as are under the control of Inspector of Industrial Schools, Punjab, and are in receipt of Rs. 200 a month ;
- (b) their number community-wise ;
- (c) the total pay drawn by them community-wise ;
- (d) whether it is a fact that only one Muslim headmaster has been recently given this grade ;
- (ii) if the answer to (d) above be in the affirmative, will the Government please state if it is intended to adopt measures to remove this disproportionate representation ?

The Honourable Dr. Gokul Chand Narang : (i) (a) 8.

(b) 7 Hindus and 1 Muslim.

(c) Hindus Rs. 1,880 per month. Muslims Rs. 220 per month.

(d) Yes.

(ii) The claims of Muslims are and will be considered on their merits on the occurrence of vacancies.

EMPLOYEES IN THE INDUSTRIES DEPARTMENT.

***2366. Mr. Muhammad Din Malak :** (i) Will the Honourable Minister for Local Self-Government please state—

- (a) the number of such employees in the Industries Department of the Punjab as belong to other provinces ;

- (b) their number community-wise ;
 (c) the total pay drawn by them community-wise ;
 (d) whether it is a fact that all of them are from the province of Bengal ;
 (ii) if answer to (d) be in the affirmative, will the Government please state if it is intended to replace them by deserving and suitable persons of this province ?

The Honourable Dr. Gokul Chand Narang :—

(i) (a) 19.

(b) Muslims	..	..	..	4
Hindus	..	..	..	14
Others	..	..	..	1

(c) Muslims	..	..	..	Rs. 415 per mensem.
Hindus	..	..	..	3,701 "
Others	....	..	..	600 "

(d) No—they come from Bengal, Bombay or North-West Frontier Province.

(ii) Does not arise—but it may be stated for the information of the honourable member that non-Punjabis are recruited only when suitable Punjabis are not available. Some of the non-Punjabis in service in the department still continue to be irreplaceable.

OFFICE OF INSPECTOR, INDUSTRIAL SCHOOLS.

***2367. Mr. Muhammad Din Malak :** Will the Honourable Minister for Local Self-Government please lay on the table a statement showing—

- (a) the total number of persons in service in the Office of the Inspector of Industrial Schools, Punjab ;
 (b) the percentage of Muslims and non-Muslims in that office and the total pay drawn by them community-wise ?

The Honourable Dr. Gokul Chand Narang : (a) Total number of persons in service in the office of the Inspector is 3½, viz., three clerks and one half-time draftsman.

(b) Muslims ..	..	..	..	14.2 per cent.
Non-Muslims	..	..	..	85.8 "
				Rs.
Total pay drawn by Muslims per month	..	..	..	70
Total pay drawn by non-Muslims per month	..	..	..	261

OFFICE OF INSPECTOR OF INDUSTRIAL SCHOOLS.

***2368. Mr. Muhammad Din Malak :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether it is a fact that all the persons in service from head clerks to peons and daftri are non-Muslims in the office of Inspector of Industrial Schools ;

[Mr. Muhammad Din Malak.]

- (b) if the answer to above be in the affirmative, what steps the Government proposes to take to give their due share to Muslims in this office?

The Honourable Dr. Gokul Chand Narang : (a) No. The honourable member's attention is invited to the answer to question No. 2867 (above).

- (b) The claims of Muslims will receive due consideration on the occurrence of a vacancy.

COPPER SMITHING IN INDUSTRIAL SCHOOLS.

***2369. Mr. Muhammad Din Malak :** Will the Honourable Minister for Local Self-Government please state, with reference to answer to starred question No. 1964¹, dated 21st November 1952, part (c)—

- (a) whether articles manufactured in copper-smithing in Industrial Schools are not of daily utility; if they are, why copper-smithing has been stopped altogether;
- (b) whether gold smithing and wood turning classes in Mayo School of Arts are being run, in face of the world-wide depression, and whether the articles manufactured by these classes are of more daily utility than those of copper-smithing; if so, the reasons for the same?

The Honourable Dr. Gokul Chand Narang : (a) Coppersmithy as a craft subject did not prove sufficiently popular in Industrial Schools and had, therefore, to be stopped.

- (b) Goldsmithy and Wood Turning classes are operating in the Mayo School of Arts, but it may be pointed out here, that unlike the Industrial Schools, the Mayo School of Arts aims at advanced and artistic work, with special reference to designs and decorative styles, peculiar to the traditions of the province. It is to fulfil such objects, that the classes, referred to by the honourable member, are being allowed to operate in the School of Arts.

HEADMASTERS OF INDUSTRIAL SCHOOLS.

***2370. Mr. Muhammad Din Malak :** Will the Honourable Minister for Local Self-Government please state—

- (i) (a) the academical and the technical qualifications required of the holders of the post of a headmaster of an Industrial School;
- (b) the academical and technical qualification of the present headmasters of Industrial Schools, (i) Bhawani, (ii) Amritsar and (iii) Ferozepore, respectively;
- (c) the community to which these headmasters belong, and whether any of them is duly qualified to hold the post of a headmaster;

(ii) if none of the headmasters is qualified to hold the post, does Government propose to replace them by qualified men, or failing that to order them to qualify themselves in technical training as the present 2nd master of Technical School, Lahore, has been ordered?

The Honourable Dr. Gokul Chand Narang : (i) (a) No definite qualifications have been laid down, for in the case of a technical institution appointments must be made with due regard to the requirements of each place from time to time. Except in exceptional cases, headmasterships are now given only to those who possess suitable educational and technical qualifications.

(b) The academical and technical qualifications of the present headmasters of industrial schools (1) Bhiwani, (2) Amritsar and (3) Ferozepore are given below :—

- (1) *Headmaster, Government Industrial School, Bhiwani.*—F. A., J. A.-V.
- (2) *Headmaster, Government Industrial School, Amritsar.*—F. A., S. A.-V., Industrial Middle standard in Wood Work and Drawing.
- (3) *Headmaster, Government Industrial School, Ferozepore.*—Matric, Mayo School of Arts Diploma in Carpentry, Manual Training Diploma.

The Headmasters of the Amritsar and Ferozepore Schools were transferred in their present capacity to the Industries Department on provincialisation. The Headmaster of Bhiwani was transferred from the Government Technical School, Lahore, in the beginning of 1929. He had worked as Assistant Master in this institution since 6th October 1920.

(c) Hindus. They are fully competent and have done excellent work.

(ii) The first part of the question does not arise. The second part is based on an incorrect assumption.

INDUSTRIAL SCHOOL, GUJRAT.

***2371. Mr. Muhammad Din Malak :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the number of teachers transferred from the Gujrat Industrial School to other places from 1st September 1932 to 1st February 1933 community-wise ;
- (b) the number of disciplinary transfers (i.e., those who have not been given any travelling allowance) community-wise ;
- (c) the number of teachers transferred who were allowed travelling allowance community-wise ;
- (d) the number of teachers who have been transferred from other places to Gujrat Industrial School ;
- (e) on what basic principle all these transfers have been made ;
- (f) how much money the Government has spent on these transfers, and whether by transferring such persons the public has been satisfied ;
- (g) whether it is not a fact that the agitation was solely directed against the irregularities of the headmaster of the Industrial School, Gujrat, which brought about these transfers ;
- (h) whether it is proposed to hold an independent inquiry into the causes responsible for the continuance of agitation ?

The Honourable Dr. Gokul Chand Narang : (a) 8 = 5 Muslims and 3 Hindus.

(b) 3 = 2 Muslims and 1 Hindu.

(c) 5 = 3 Muslims and 2 Hindus.

(d) 8.

(e) In the interests of the public service.

(f) A sum of Rs. 296-4-0 has so far been spent on travelling allowance, etc. The answer to the second part of the question is in the affirmative.

(g) No.

(h) No.

DIWAN JAI CHAND GIRLS INDUSTRIAL SCHOOL AND ITS TWO
COMMERCIAL SHOPS.

***2372. Mr. Muhammad Din Malak :** (i) Will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether there is a 'Diwan Jai Chand Girls Industrial School' in Gowalmandi, Lahore, and it is a private institution;

(b) whether two commercial shops, one in Gowalmandi and one near the Y. M. C. A. are attached to this school;

(c) whether Lala Vir Bhan, Assistant Director of Industries and the Inspectress of Girls' Schools worked for a number of months in the said shops;

(d) whether the services of these officers were given on loan by the Department to the said shops;

(ii) If the answer to (d) be in the negative, what action does the Government propose to take against Lala Vir Bhan and the Inspectress for working in those shops for a number of months?

(iii) Under what business conditions, i.e., as directors, managers, or proprietors did the two officers of the Industries Department work at these shops?

The Honourable Dr. Gokul Chand Narang : The matter is under the consideration of Government. The reply to (d) is in the negative.

DIRECTOR OF INDUSTRIES, PUNJAB.

***2373. Mr. Muhammad Din Malak :** Will the Honourable Minister for Local Self-Government please state—

(a) how many persons have been dismissed by the present Director of Industries, Punjab, from the day he joined the department up to 15th February 1933 community-wise, giving their names, qualifications, pay, service period, and reasons for dismissal;

(b) the names of persons whose increment has been stopped;

(c) the names of persons who have been transferred or against whom disciplinary measures have been taken?

The Honourable Dr. Gokul Chand Narang : It is not in the public interest to disclose the names of Government servants who have been dismissed or have incurred lesser punishments nor to give the reasons for action taken against each of them.

(a) During the regime of the present Director of Industries, 10 persons have been dismissed. Six of them had less than 2 years' service, one less than 8 years, one $8\frac{1}{2}$ years, one $4\frac{1}{2}$ years and one 8 years. They were 4 Hindus, 8 Muhammadans, 2 Sikhs and 1 Christian.

(b) The increments of 10 Muhammadans, 9 Hindus and 1 Sikh have been stopped at various times.

(c) Twenty-two Muhammadans, 16 Hindus, 8 Sikhs and 4 others have been transferred in the interests of the public service—10 Muhammadans, 9 Hindus, 2 Sikhs and 1 other have been transferred at their own request. Five Hindus and 8 Muhammadans have been transferred for disciplinary reasons. Six Hindus, 8 Muhammadans and 1 other have been censured. The probationary periods of 1 Hindu, 1 Muhammadan and 1 Sikh have been extended. Warnings have been administered to 6 Muhammadans, 2 Sikhs, 1 Hindu and 1 other.

QUALIFICATIONS REQUIRED OF A DIRECTOR OF INDUSTRIES.

***2374. Mr. Muhammad Din Malak :** Arising from starred question No. 1708,¹ dated 10th November 1932, will the Honourable Minister for Local Self-Government please state—

(a) whether his attention has never been drawn to paragraph 911, pages 228-229 of the Industrial Commission Report, 1916-18 ;

(b) whether the present Director of Industries satisfies the requirements laid down in the report of the said Industrial Commission ; if so, how ;

(c) if not, whether Government intends to take early steps to find a suitable man to replace the present Director of Industries ?

The Honourable Dr. Gokul Chand Narang : (a) No, not till 8th of March 1933.

(b) Most of them.

(c) Does not arise.

HEADMASTERS OF INDUSTRIAL SCHOOLS.

***2375. Mr. Muhammad Din Malak :** Will the Honourable Minister for Local Self-Government please state (a) if, with reference to Inspector of Industrial Schools' letter No. 4623, dated 22nd July 1931, the Industrial Schools are Vernacular Schools ; and as to why many of the headmasters of such schools do not know the Urdu language ;

(b) how much pay each of such headmasters draws monthly ;

(c) whether it is intended to order such headmasters as do not know Urdu to duly qualify themselves ?

The Honourable Dr. Gokul Chand Narang : (a) The letter has been cancelled.

(b) and (c) Do not arise.

PETITIONS AND APPLICATIONS IN URDU, AND THE
INSPECTOR OF INDUSTRIAL SCHOOLS.

***2376. Mr. Muhammad Din Malak :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether with reference to the Inspector of Industrial Schools' letter No. 4629, dated the 22nd July 1931, the Industrial Schools are Vernacular Schools ;
- (b) whether it is a fact that the Inspector of Industrial Schools, Punjab, in his circular letter No. 1937, dated the 15th September 1926, to all headmasters laid down that no letter either from assistants or from the public should in any circumstances be sent to him in Urdu in future ;
- (c) why this novel order was issued, and whether Government proposes to withdraw it ; if not, why not ;
- (d) whether it is a fact that Urdu is not only the common language of the country, but that every department of the Government entertains petitions and applications drawn up in Urdu ?

The Honourable Dr. Gokul Chand Narang : The circular letter in question was discussed in Council on the 13th. Action will be taken in accordance with the assurance given by me on that occasion.

HEADMASTERS OF WEAVING SCHOOLS.

***2377. Mr. Muhammad Din Malak :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the number of headmasters of weaving schools in the Punjab ;
- (b) the number of persons employed in the weaving section of the Industrial Department ;
- (c) the number of employees—*vide* (a) and (b) above—community-wise together with their emoluments ?

The Honourable Dr. Gokul Chand Narang : (a) There is no "Weaving School" in the Punjab. There is one Government Central Weaving Institute at Amritsar, which does not come in the category of a weaving school.

(b) 19.

(c) (a) Nil.

Emoluments.

					Rs.	A.	P.
(b) Muslims	..	..	6	..	329	8	0
Hindus	..	..	10	..	1,278	8	0
Sikhs	..	..	2	..	400	0	0
Others	..	..	1	..	36	8	0

LAND REVENUE ON GARDEN LANDS.

***2378. Sardar Bishan Singh :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that gardens in which no other crop was sown were charged land revenue once a year only ;
- (b) whether recently this rule has been changed ;
- (c) whether it is a fact that in the Burala and Lower Gugera divisions of the Lower Chenab Canal the practice of charging land revenue once a year only prevails ;
- (d) whether the Government is aware that in Lyallpur division the practice is different and land revenue is charged twice a year ;
- (e) what action the Government proposes to take to remove this difference ;
- (f) the reasons due to which the change mentioned in (b) took place ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The practice varies.

- (b) No.
- (c) Enquiry is being made.
- (d) Yes.
- (e) The matter has been referred to the Standing Land Revenue Committee.
- (f) Does not arise.

SECTIONAL HOLIDAYS.

***2379. Chaudhri Riasat Ali :** Will the Honourable Member for Finance please state—

- (a) what is meant by sectional holidays ;
- (b) whether the Government has issued a circular letter recently specifying such holidays ;
- (c) if so, whether it will be laid on the table ;
- (d) whether the circular applies to criminal courts also ;
- (e) if so, whether the presiding officer, reader, ahlmad, naib-court, if they happen to belong to different religions, avail themselves of such holidays, and to what extent ;
- (f) in the above case, whether any work can be carried on in a criminal court especially when the ahlmad, naib-court, counsel and litigants happen to belong to different religions ;
- (g) whether the number of working days is decreased and the amount of actual work put in minimised by the observance of such holidays ;
- (h) if so, what action Government proposes to take in the matter ?

Mr. C. C. Garbett (Chief Secretary) : (a) Sectional holidays are holidays granted either to an individual or a section of individuals, viz., Muslims, Hindus, Sikhs or Christians who may desire leave of absence in order to attend to any particular religious festival observance of their faith. Such holidays are limited to five in the year and on these days offices remain open as usual.

(b) No : but attention is invited to *Punjab Government Gazette* Notification No. 85935 (Home—General), dated 14th November 1932.

(c) Does not arise.

(d) No.

(e) Does not arise.

(f) Does not arise.

(g) No. Individuals who enjoy such holidays have to make up for it during the week by working longer hours.

(h) Does not arise.

HONORARY MAGISTRATES.

***2380. Chaudhri Riasat Ali** : Will the Honourable Member for Finance kindly state—

(a) how many honorary magistrates in the province work in their own villages, away from the district or tahsil head-quarters ;

(b) whether there is any circular requiring such magistrates to work at the tahsil or district head-quarters ;

(c) if so, whether it will be laid on the table ;

(d) whether it is a fact that a retired Government official after the age of 55 years is not appointed a sub-registrar ;

(e) whether the Government is prepared to enforce the same age limit in the new appointment of honorary magistrates in case of retired Government officials ;

(f) if not, the reasons for it ?

The Honourable Sir Henry Craik : (a) The information is being collected and will be supplied to the honourable member when ready.

(b) and (c) They are ordinarily required to work at tahsil or district headquarters but for special reasons and with the sanction of Government they may be permitted to work elsewhere.

(d) Yes.

(e) and (f) Such appointments are but rarely made and then only for very special reasons. Government are not prepared to restrict their discretion in the matter.

AGRICULTURAL ASSISTANTS.

***2381. Chaudhri Riasat Ali** : Will the Honourable Minister for Agriculture please state—

(a) how many agricultural assistants, both A and B class, have been retrenched up to the present ;

- (b) how many new candidates have been enlisted as approved candidates for the post of zilladar and naib-tahsildar since March 15, 1932;
- (c) whether the Government has taken any of the retrenched agricultural assistants as such candidates;
- (d) if not, whether the Government is prepared to take them as such candidates, taking in view their premature discharge from service and the fact of their now being over age for new service;
- (e) whether the Government has allotted any land to these people under the conditions published in the *Government Gazette* dated 29th May 1932;
- (f) if so, the names of such persons with the amount of land allotted;
- (g) whether the Government is prepared to consider a B class agricultural assistant duly qualified at Lyallpur equal to the standard of an intermediate pass candidate for eligibility to a post where the passing of F. A. examination is a necessary qualification for enlistment;
- (h) if not, what facilities the Government is prepared to provide for these people who are thus hard hit for no fault of theirs on account of the retrenchment measures?

The Honourable Sardar Sir Jogendra Singh : (a) 40 (34—A Class and 6—B Class).

- (b) 35 zilladars but no naib-tahsildars.
- (c) No.
- (d) This is a matter for the officers authorised to make the selection; there is no bar to selection from these people.
- (e) Yes, to 39 agricultural assistants.
- (f) It is not usual to give names in answer to Council questions. The grants were two squares each.
- (g) It is a fact that there are certain classes of services for which the minimum educational qualification is F. A., but since this standard was adopted, the stand of general education in the province has so risen and the competition for posts so increased, that M. As. are now in fact applying for posts the minimum qualification for which is F. A. Government has not under consideration the suggestion of the honourable member; but even if it were adopted, it seems improbable that any advantage would accrue to the class whom it is desired to assist.
- (h) Government has already placed 39 of these on the land with two squares each.

TREASURY OFFICERS.

***2382. Chaudhri Riasat Ali :** Will the Honourable Member for Finance please state—

- (a) how many treasury officers in the Punjab do magisterial work;

[Ch. Riasat Ali.]

- (b) whether there is any circular letter to the effect that treasury officers should be relieved of such work ;
- (c) if so, whether it will be laid on the table ;
- (d) in case there are any treasury officers doing such work, the reasons for their being allotted such work ?

Mr. C. C. Garbett (Chief Secretary) : (a) If the honourable member is referring only to treasury officers in charge of district treasuries, then the reply is 25.

(b), (c) and (d) There is no rigid rule such as is indicated in the question. Commissioners have discretion in this particular.

INSPECTION AND COPYING FEE OF REVENUE RECORDS.

***2383. Chaudhri Riasat Ali** : Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that inspection as well as the copying fee of revenue records in the possession of a patwari has been doubled during the year 1932 ;
- (b) if so, the reasons for the same ;
- (c) whether the Government is prepared to review the order in view of the poor financial condition of the zamindars ?

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

(b) Previously the entire fee went to the patwari. Now half will be credited to Government. The object was to add to the income of the province, and to some extent to discourage litigation.

(c) No.

LIQUOR LICENCE.

***2384. Chaudhri Faqir Husain Khan** : Will the Honourable Minister for Agriculture kindly state—

- (a) the number of licensed liquor shops in Simla in the year 1931-32 ;
- (b) the amount of foreign liquor sold in these shops in 1930-31 and 1931-32, respectively ;
- (c) whether it is a fact that in the year 1931-32 the sale of foreign liquor was on the decrease ;
- (d) whether it is proposed to give a new licence to Messrs. Phipson & Co. ;
- (e) whether it is a fact that the said firm applied for the grant of a license some two years ago, and that it was not granted ;
- (f) whether it is the policy of Government to let this province go dry gradually? If so, what are the reasons for granting new liquor licences at Simla ?

The Honourable Sardar Sir Jogendra Singh : (a) 46 shops.

(b) and (c)—

1930-31 ..	..	..	..	65,774 L. P. gallons
1931-32 ..	..	..	..	45,248 „

(d) Government has no information.

(e) Yes ; nearly four years ago.

(f) Does not arise.

MUHAMMADANS ACCUSED OF HINDU MURDERS.

***2385. Lala Bhagat Ram :** Will the Honourable Member for Finance be pleased to state how many cases were registered by the police under section 302, Indian Penal Code, during the last ten years in the Attock district in which Muhammadans were accused of the murder of Hindus ; how many of these cases were challaned and in how many cases conviction took place ?

The Honourable Sir Henry Craik : During the last ten years, 20 such cases were registered in the Attock district, 17 cases were sent up for trial, 7 ended in conviction and one case is still pending.

PUBLIC PROSECUTOR AND PROSECUTING INSPECTOR.

***2386. Lala Bhagat Ram :** Will the Honourable Member for Finance kindly state—

- (a) if it is a fact that the present Chief Secretary, Mr. C. C. Garbett, when Deputy Commissioner of Attock district, ruled that if the public prosecutor was a Muhammadan, the post of prosecuting inspector should be held by a Hindu and *vice versa* ;
- (b) if it is a fact that both the posts of public prosecutor and prosecuting inspector in the Attock district are held by Muhammadans ;
- (c) if the answer to (b) above is in the affirmative, the reasons for it ?

The Honourable Sir Henry Craik : (a) No.

(b) Yes.

(c) Does not arise in view of (a) above.

POLICE OFFICERS IN ATTOCK DISTRICT.

***2387. Lala Bhagat Ram :** Will the Honourable Member for Finance kindly state—

- (a) whether it is a fact that in the police department of the Attock district prosecuting inspector of police, prosecuting sub-inspector (head-quarters), deputy superintendent of police, district inspector of police, police line officer and head clerk are all Muhammadans ;

[L. Bhagat Ram.]

- (b) why no Hindu was deemed fit to occupy any of the posts mentioned in (a) above ;
- (c) whether it is a fact that since the formation of Attock district about thirty years ago, no Hindu has ever been appointed either as superintendent of police or deputy superintendent of police ; if so, why ;
- (d) whether it is a fact that no Hindu has ever been appointed even as assistant superintendent of police as a permanent incumbent since the formation of the district ; if so, why ;
- (e) whether it is a fact that—
 - (1) reader to the superintendent of police ;
 - (2) reader to the deputy superintendent of police and
 - (3) orderly head constable ;

are all Muhammadans ; since when are they occupying these posts ; whether any Hindu was ever appointed to any of these posts for the last ten years ; if not, why not ?

The Honourable Sir Henry Craik : (a) Yes.

(b) There is no question of the fitness or otherwise of Hindu officers for these posts. The prosecuting inspector's immediate predecessor, who served for three years in the district, was a Hindu. All the head clerks from 1916 to 1929 were Hindus or Sikhs. The lines officer's predecessor was a Hindu.

In addition to the Muhammadan officers detailed there are at headquarters—

2 Hindu (temporary) prosecuting sub-inspectors.

1 Sikh district inspector.

(c) Yes. There is no particular reason.

(d) There is not ordinarily provision for an assistant superintendent of police in Attock, so there is no question of appointing a permanent incumbent. A Hindu Probationary Assistant Superintendent of Police is at present in the district.

(e) Yes.

Reader to superintendent of police since 1st October 1931.

Reader to deputy superintendent of police since 1st September 1932.

Orderly head-constable of police since 17th June 1932.

No Hindus occupied these posts during the past ten years. There is no reason for this. I may mention that there are nine Hindus in the superintendent of police's office against 15 Muslims.

Hindus are therefore well represented in a predominantly Muhammadan district, in which the rank and file of the police force is also predominantly Muhammadan.

GOVERNMENT'S DEMANDS FOR GRANTS.
MEDICAL AND PUBLIC HEALTH—concluded.

Mr. President : The Council will now resume discussion on the motion¹ of the honourable member from Amritsar (Shaikh Muhammad Sadiq).

Mian Nurullah (Lyallpur South, Muhammadan, Rural) : I rise to give my whole-hearted support to this motion moved by my honourable friend from Amritsar to discuss the appointment of the Director of Public Health. I want to record an emphatic protest against the arbitrary action of the Secretary of State for India. I do not, however, want to question the validity of his action. But as the Honourable Minister in charge pointed out the other day the reason given was that although the appointment of Director of Public Health was not reserved at the present moment, it was thought proper when the rules were framed by the Secretary of State that those members of the Indian Medical Service who had joined the provincial medical service during the period 1923—28 when this post had been reserved, should have preference and should get this post. It is this arbitrary action of the Secretary of State that I take objection to. In reply to a question, I was told by the Honourable Minister in charge that it was on the initiative of the Secretary of State himself that that action was taken without any move from here. Considering that this related to a transferred department that was not desirable. I have always deprecated the vast difference between the provincial and the imperial services and the definitely conclusive support which the imperial services get by virtue of their position in the matter of these appointments. By whichever method a person is recruited, once he joins the imperial service, he is privileged. This was pointed out by me in one of my speeches on the budget before. It hurts my feelings when I see a person below the average ability enjoying all his life all the privileges of that service, while an able man once he happens to accept service in the provincial cadre is never given an opportunity of rising higher. What I then suggested was that in future we should always start all men at the same level in the same service and allow only those who are capable, fit, honest, tactful and possess commonsense, to be promoted to higher places in the imperial service. We may, however, give special allowance to those who come from outside. If such people accept service on a contract basis and if we find within a few years that they are not up to the mark they should be sent back, shunted out from that service or made to accept a lower post. By the present appointment, the hopes of all those who are now in the provincial service and all those who had hoped to become directors, have been quashed and I am afraid that this is likely to lead to very great inefficiency. What is the impetus left for that man who has served in that department loyally and ably for so many years if he is not now given this promotion? The present incumbent who had to be reverted had been in service, I think, since 1910 and within four years of his entry into service his work was appreciated and he was made a deputy director. He has served in that capacity for about 18 years including four periods when he officiated as director and now when there was the chance and he could hope that he would be appointed this order comes debarring anybody in the provincial service from getting that place. In other countries the opportunities for people beginning at the lowest rung of the ladder to rise to

¹ Vide page 522 *infra*.

[Mian Nurullah.]

the top are very wide. There are instances, innumerable instances, in private firms and companies abroad where one has started at the lowest rung and risen to the topmost. There are people who have risen from the place of shop assistants to be managing directors of firms. Commoners have risen to the top and run Governments. Our illustrious Premier in England may be cited as an example. If we do not encourage people in the lower grades in a similar way, what is the impetus for them to work well? When a man finds, for instance, that after he has become a deputy director of public health he has no chance of becoming director how can he put his heart and sole in the work? I do want to point out that this was the most inopportune time for the Secretary of State for India to pass such an order. We are on the threshold of great reforms and in a day or two we expect the publication of a document which one day would be called a great document in Indian history. If by any chance this order of the Secretary of State is in any way a forerunner of the mentality that is going to prevail in the framing of that document, I can only say, God save us. God save us who are willing to co-operate with Government from any embarrassing positions that might arise out of the White Paper. If this mentality is going to prevail in that wider sphere, that crisis is sure to come. I take objection to this order at this critical juncture of our constitutional and historic development and lend my whole-hearted support to the motion moved by the honourable member from Amritsar.

Colonel D. P. Goil (Inspector-General of Civil Hospitals) : There seems to be a great deal of misapprehension in the minds of some of the members with regard to this matter—the reservation of the post of the Director of Public Health. In spite of the explanation, which was given the day before yesterday by the Honourable Minister, that misapprehension seems to continue to exist. I should, therefore, like to try and make the position a bit clearer, so that honourable members may be able to see exactly how the matter stands.

It is absolutely unfair to designate or characterise the action of the Secretary of State as arbitrary or unjust. From the remarks that were made by the honourable member who moved the cut one would imagine that the Secretary of State had, on this particular occasion, swooped on this Government and snatched away the little measure of autonomy that it had enjoyed peacefully hitherto in the administration of the transferred departments, and that he had ordered the employment of an Indian Medical Service officer, no matter what his qualifications were, to the exclusion of every one else. I should have thought that the statement made by the Honourable Minister the day before yesterday was sufficient to clear the situation. But from the speech made by the honourable member who has just sat down it seems that this notion still prevails.

I should like to point out that the transferred departments have emerged from the reforms of 1920. These reforms, it will be agreed, are governed by the Government of India Act and I wonder if the honourable members who have criticised this action of the Secretary of State have taken the trouble to read the Government of India Act or to make themselves acquainted with its provisions. I would particularly draw the attention of the

House to sections 45-A and 129-A of this Act and the Devolution Rules which have been made by the Governor-General in Council with the sanction of the Secretary of State in Council and the approval of both Houses of Parliament. These rules were published as long ago as the 16th December 1920. So it cannot be said that they were made for the particular post under discussion to-day. They were made 18 years ago. Rule 12 of these rules is of particular interest in this connection. I shall read it for the information of the House.

A local Government shall employ such number of Indian Medical Service officers in such appointments and on such terms and conditions as may be prescribed by the Secretary of State in Council.

This, Sir, is the reason for making any further rules that have been made thereafter. In the face of this provision I fail to see how the action of the Secretary of State can possibly be characterised as arbitrary. In pursuance of this rule the Secretary of State issued provisional regulations to regulate the employment of Indian Medical Service officers in various appointments in the province and the terms on which they were to be employed. These regulations were issued in 1923 provisionally because a Commission on Public Services had just been appointed and was going to start on its work. They regulated the employment of the Indian Medical Service officers in the various provinces. What is the position of these officers in this province according to these provisional regulations? Thirty-five posts were reserved for them at that time. These posts included that of the Director of Public Health. Till then (and for the matter of that even up till now) the post of the Director of Public Health had always been held by an Indian Medical Service officer. Pending the issue of the report of the Royal Commission on Public Services, the Secretary of State simply allowed the state of affairs which existed at the time to continue.

The report of the Royal Commission on Public Services was issued in 1924 and after a very full consideration and consultation with local governments, the matter of the employment of the Indian Medical Service officers in the provinces was finally decided in 1928. The conclusions reached at that time were announced in a *communiqué* of the Government of India which was issued in May 1928. I wonder if the honourable members who have taken on themselves to criticise this particular matter have taken the trouble to read that *communiqué*. I would particularly draw the attention of honourable members to the fact that although in 1928 there were 35 posts reserved for the Indian Medical Service officers, in the *communiqué* of 1928 only 21 posts were so reserved, and the post of the Director of Public Health was not reserved on this occasion. It was, however, stated in the *communiqué* that—

The adoption of the new list of reserved posts will leave, on the civil side, a surplus of Indian Medical Service officers who are now holding appointments which are at present reserved for the service. The existing rights of these officers will be fully preserved and prospects equivalent to those afforded by the present list of reserved posts will be retained for them. These prospects will be allowed to diminish only *pari passu* with the absorption of the surplus which will exist until the number of Indian Medical Service officers now in civil employ is equal to the number of posts reserved for them in the new list. The detailed measures—

This is the most important part of the paragraph—

required to safeguard the prospects of Indian Medical Service officers already in civil employment are now being worked out.

[Col. D. P. Goil.]

The orders which were published recently in October 1932 are thus in pursuance of this important clause which appeared in the *communiqué*.

Now, whatever opinion we may hold of the orders that have been issued, it must be admitted that the action of the Secretary of State has been perfectly consistent from first to last—from the introduction of the reforms in 1920, the framing of the Devolution Rules, the provisional regulations, and the consideration of the report of the Royal Commission on Public Services, to the passing of the final orders in 1932. All the measures announced in the regulations published in October 1932, are in pursuance of the clause which had appeared in the *communiqué*. It will thus be seen that the action which has been taken now in appointing an Indian Medical Service officer to the post of the Director of Public Health here is not one designed to suit the purpose of one particular appointment in one particular province, but the logical result of the measures mentioned.

Further, the measures for safeguarding rights are applicable only to these few officers who had come into civil employment before 1928 and are strictly confined to them. It is, thus, not true to say that the intention is to appoint any Indian Medical Service officer in preference to a non-Indian Medical Service one. This reservation which has been made is, I consider, an act of mere justice and fairness to the officers who had actually come into civil employment prior to the new regulations, on certain hopes and to deprive them of these prospects would be an act of grave injustice amounting to a breach of faith.

Mian Nurullah : What about the hopes of others who joined the department in the hope of rising to the post of Inspector-General ?

Colonel D. P. Goil : They could have no such hope, as when they joined the department they knew that the post was reserved for the Indian Medical Service and was not open to them. I submit, therefore, that no arbitrary action has been taken nor is there any occasion for any protest to be made as regards this particular act of the Secretary of State.

As regards Dr. Rahman, his claims in this particular case have not been overlooked. Government have already pressed them on the attention of the Secretary of State and if they have not been accepted it is only because of the existence of the difficulty of the Secretary of State having to protect the rights of those officers whom he had himself recruited and for whom he is directly responsible. Dr. Rahman is a personal friend of my own, and nobody is more sorry than I am to see that he has been adversely affected. If it is the wish of this House that a request be made to the Secretary of State again to reconsider the matter and to appoint him as a special case, in spite of the rules that exist, I am whole-heartedly in favour of it. But I would point out that it can be only a request, and not a protest, and I should be very pleased, indeed, if it is granted.

Mr. Owen Roberts : May I ask a question ? I would like to know whether it is correct that in the regulations regarding the employment of the Indian Medical Service officers it is laid down that certain stations were to have European officers of the Indian Medical Service in order to carry out Government's obligations towards its European public servants. I

want to know whether those posts are occupied by Europeans now and if they are not what real force these regulations have got.

The Honourable Malik Sir Firoz Khan Noon : The honourable member is right in saying that certain stations in the Punjab are reserved for Indian Medical Service officers but he is not right in saying that they are reserved for European members of that service. There are eleven stations in the province which are reserved for the members of the Indian Medical Service and they are held by members of the Indian Medical Service.

Mr. Owen Roberts : I am certain that the Honourable Minister's information is incorrect.

The Honourable Malik Sir Firoz Khan Noon : My information is perfectly correct. If we had not been carrying out the orders correctly, I am sure the European community would not have kept quiet.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : I rise to support the motion under discussion. After hearing the speech of the Inspector-General of Civil Hospitals I am tempted to make one or two remarks. It was submitted by the honourable member from Lyallpur that he did not question the correctness of the order passed by the Secretary, but the question was that this order was not proper at a time when reforms were being introduced. I may point out that provision in the Government of India Act from which the honourable member read out the section is only permissive and does not make it obligatory on the Governor-General to make a recommendation. He could have very well honoured the wishes of the Indian people in not recommending the reservation of this post at that time. Up to 1927 this post had not been reserved and at that time there were no reforms and government was carried on in an arbitrary way and without any responsibility to the people. When Government became partially responsible to the people, power was given to the people by one hand and was taken away by the other. That is very strange. I hope the wishes of the Council on this point will be communicated to the Secretary of State for India and as promised by the Inspector-General out of regard for Dr. Rahman he would secure a recommendation. I am aware that he himself cannot make this recommendation because he is not the head of department but he was speaking for the Honourable Minister. The Honourable Minister should promise to take up the case in right earnest and ask the Secretary of State to withdraw his orders, otherwise we will push this motion to its legitimate result. It is a very important question that a man who has officiated in this post for a considerable period should be replaced by another man who was not entitled to the post at that time. This action should be withdrawn at once. If that is done the honourable members will feel that their wishes have been respected and that at least there is a move even on the part of the Government and on the part of the Secretary of State for India to restrict the rigours of the rules. Otherwise the reforms are coming and I do not think this rule will last a day after provincial autonomy is introduced. Naturally the Government of India Act will go and the new Government of India Act will not embody such a provision. It is a case of *muft karam dashtan* at this time, and I hope the Secretary of State in response to the recommendations which I believe will be made by the Ministry of Education, will remove the rigours of this

[Ch. Allah Dad Khan.]

rule and bring him back to this post. I hope the Inspector-General will not recede from the promise which he has just now made and will act upon it. In view of these remarks, I trust my honourable friend will withdraw the motion.

Pir Akbar Ali [Ferozepore, Muhammadan, Rural] (*Urdu*): Sir, I have listened to the speech of the Inspector-General of Civil Hospitals very carefully. I expected the honourable member to have advanced some cogent arguments in support of his contention. But he did not say anything which could prove that the Secretary of State for India was justified in not deciding the matter according to the wishes of the Punjab Government. The circumstances are the same as existed before he delivered his speech. The conditions also are the same. Then what reason was there in consideration of which the Secretary of State for India decided to reserve this post for the Indian Medical Service? The members of the Indian Medical Service did not enter this service with a hope to become the Director, for this post was not meant for them. The posts which are reserved for the Indian Medical Service people cannot be given to the Provincial Medical Service people, but the posts which were meant for the Provincial Medical Service are being given away to the Indian Medical Service men. This is a grave injustice done to the rights of the Provincial Medical Service men, and I fear if this practice were allowed to continue it would prove harmful to the peace of the province.

Then, Sir, the recommendations of the Punjab Government have so lightly been treated that one is forced to think that there is no importance attached to the wishes of a local Government by the higher authorities. In the near future provincial autonomy will be given to this province but the interference of the Secretary of State for India in the above matter has fully shown the worth of the provincial autonomy. In the absence of any rules prohibiting a Provincial Medical Service man from being promoted to the post under discussion the action of the Secretary of State is most unjustified. With these few words I support the cut moved by my honourable friend.

Mr. P. Marsden (Secretary, Transferred Departments): Sir, I am under the impression that the last honourable member still does not quite realise the position, and perhaps there are other honourable members who do not. When he said that it is unjust that this post should be given to the Indian Medical Service although it is not now specially reserved for the Indian Medical Service he seems to have forgotten that the post was previously reserved, that it was only in 1928 that it was removed from the reserved list, and that the reason for removing it was that the Secretary of State was endeavouring ultimately to reduce the number of posts for the Indian Medical Service and thereby improve the prospects of other medical services. There is no question, throughout the history of this case, of any special effort to bolster up the Indian Medical Service unduly or to give them any posts that they should not have, but on the contrary if one traces the course of events one will see that there has been a steady endeavour rather to limit the Indian Medical Service to the posts that they should have and to release posts for other services.

I think the position will be visualised more clearly if we look back a little into the previous history of the Health Department, before 1923. In 1899 the post of Sanitary Commissioner, equivalent to the present Director of Public Health, was reserved for the Indian Medical Service. It continued to be reserved for the Indian Medical Service right up to 1922. The position of the Health Department up to 1922 was one Sanitary Commissioner, one plague medical officer, one malaria medical officer and one Deputy Sanitary Commissioner. All these four posts were held by Indian Medical Service officers. There was a fifth post of Deputy Sanitary Commissioner which was held by a non-Indian Medical Service officer. This was the post held by Dr. Rahman from 1914. Now, when Dr. Rahman held that post, he, so to speak, took the risk, of accepting a post which would not carry him any further. He was aware at that time that the post of Sanitary Commissioner, or Director of Public Health was kept for the Indian Medical Service.

Mian Nurullah : When did he take up that post ?

Mr. P. Marsden : I think it was in 1914. In 1923, when the first set of regulations were issued, the existing position was maintained, that is to say, four posts which were previously held by the Indian Medical Service were again reserved for the Indian Medical Service, that is, the posts of what had then come to be called the Director of Public Health, and three of Assistant Director of Public Health. It so happened that at that time there were six posts of Assistant Director of Public Health sanctioned. Although not all of them were ever filled, it was thought then that six posts would ultimately be required.

Now, if we continue to examine the history of the Health Department after that year, that is to say after 1923, you find shortly after it that while the post of Director of Public Health continued to be filled by an Indian Medical Service officer, two posts of Assistant Director of Public Health were filled by Indian Medical Service officers and one by Dr. Rahman, a non-Indian Medical Service officer. Subsequently one Indian Medical Service Assistant Director of Public Health dropped out; in 1927 there were one Indian Medical Service Assistant Director of Public Health and two non-Indian Medical Service Assistant Directors. In 1929, when five posts of Assistant Director of Public Health were filled, you had four non-Indian Medical Service officers and one Indian Medical Service officer. In 1932, in consequence of the need for retrenchment, the number of posts was reduced to three and then you had, until just recently when the appointment of Director of Public Health now under discussion was made, one Indian Medical Service officer holding the post of Assistant Director of Public Health and two posts held by non-Indian Medical Service officers.

To remove any possible doubts, I will recapitulate the facts brought out by Colonel Goll regarding the regulations issued from time to time by the Secretary of State. If you look at those regulations side by side with the past history of the Public Health Department which I have explained, no one can say that the Secretary of State has not been perfectly consistent and was not doing his obvious duty both by the Indian Medical Service and by the other medical services. In the 1929 regulations there were 35 posts reserved for the Indian Medical Service, and that was in order

[Mr. P. Marsden.]

to conserve the existing position. In 1928 it was desired to reduce the number of Indian Medical Service officers as far as possible, and accordingly the number of posts reserved for them was reduced to 21. At the same time it was the bounden duty of the Secretary of State to see that the accruing rights of Indian Medical Service officers were not disappointed. Therefore, when in 1928 regulations were issued, it was stated that that aspect of the question would be considered and orders issued subsequently. The result was that in 1932 regulations were issued in which 15 posts were shown as posts to which Indian Medical Service officers had accruing rights, that is to say, Indian Medical Service officers who had been in civil employ before May 1928 were shown as having a right to these posts. If that had not been done, there is not a shadow of doubt that the Indian Medical Service officers would have had a most legitimate grievance.

I can assure the House that there is not a single person here who does not heartily sympathise with Dr. Rahman, or who does not realise the magnificent services he has done to the province. But one should also remember that he entered the service, as I said before, taking the risk. One may say that he has, in a sense, had bad luck, but I do not think that one should say, as Rao Bahadur Chhotu Ram said, that he had been unfairly treated, or unjustly treated, or that the Secretary of State has in any way acted arbitrarily.

Mr. President : The question is—

That the grant be reduced by Re. 1 with respect to the item of Rs. 10,50,100, Public Health.

The motion was lost.

Mr. President : The question is—

That a sum not exceeding Rs. 48,82,400 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 1934 in respect of Medical (Reserved and Transferred) and Public Health (Transferred).

The motion was carried.

EDUCATION (TRANSFERRED).

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

That a sum not exceeding Rs. 1,47,63,600 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1934, in respect of Education (Transferred).

Mr. President : Motion is—

That a sum not exceeding Rs. 1,47,63,600 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1934, in respect of Education (Transferred).

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : Sir, I beg to move—

That the grant be reduced by Re. 1 with respect to the item of Rs. 2,00,000, Total Grants to University.

My object in moving this reduction motion is to discuss the question paper on Geography set this year for the matriculation examination. (*Hear, hear*). There is a cry of '*hear, hear*' from Government members, and when I explain the seriousness of this matter, I suppose we will have more cries of '*hear, hear*'. They do not realise the seriousness which is involved in wasting one year of young boys' life by setting such a paper at the examination. If I may describe the paper most mildly, I would describe it as the most damnable document ever set for the matriculation examination.

The Honourable Captain Sardar Sir Sikander Hyat Khan : On a point of order. This amendment, I think, is out of order as notice of it was received only at 5-45 P. M. on 14th March 1933.
3 P.M.

Mr. President : The Leader of the House probably relies on Article 134 (S. O. 73), which runs as follows :

Notice of a motion to omit or reduce any item in a grant or to reduce any grant shall be given two clear days before the day appointed for the discussion of such item or of such grant.

The question is whether in the face of the words, "*before the day appointed for the discussion of such item or of such grant*" the article applies. A reference to His Excellency the Governor's order allotting 8 days for the discussion of grants will show that no particular day has been appointed for the discussion of any individual grant or any individual item of a grant. I am inclined, therefore, to hold that the article does not support the objection.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Strictly speaking, this article can be interpreted to mean that the first day allotted for discussion of grants is the day appointed for all the grants and that therefore notice of amendments must be handed in two days before the first day allotted for the voting of grants. It is only as an indulgence that notices handed in after the first day allotted for voting of grants, if they are received two clear days before the day on which a particular grant comes up for discussion, have been allowed.

Mr. President : It might be contended that if Article 134 does not apply, Article 62 (S. O. 31-A) might apply. That article gives discretion to the Chair to allow a motion to be moved at any time at shorter notice or without notice. But as the former specially prescribes a notice period for motions to omit or reduce items or demands for grants, I do not think that the Chair has any discretion to allow such motions to be moved at less than two clear days' notice. The language of Article 134 is defective, no doubt, but in view of the past practice, I uphold the view of the Honourable Leader of the House and rule that the motion is out of order for want of proper notice.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Non-Official, Nominated) (*Urdu*) : Sir, I beg to move—

That the grant be reduced by Re. 1 with respect to the item of Rs. 1,16,900. Total Training Schools.

My object in moving this cut is to urge upon the Education Department and the Honourable Minister the desirability of opening a rural school at Muzaffargarh to give training to the people for rural leadership. I feel that for the last few days I have been making various suggestions with a

[**M. B. Mian Mushtaq Ahmad Gurmani.**]

view to promoting the general welfare of that district and it is possible I may be accused of selfishness. But I may assure the House that in making these suggestions I have been actuated by the desire to carry out that programme which is intended to ameliorate the condition of the zamindars of my district. Unless all-round progress is made there is no hope of our wishes being realised. The Royal Commission on Agriculture also recommended that such schools should be established in rural areas as in the opinion of that Commission they are sure to go a long way in bettering the condition of the zamindars. In answer to the questionnaire issued by the Punjab Enquiry Committee I stated that the present system of education is absolutely useless. It does more harm than good to the country in as much as it increases the number of un-employed. The students in the rural areas after passing their middle school examination look for some service. That is their main aim of life. They are not qualified for any profession and having received some education they become unfit for agriculture as well. You will perhaps not believe me but it is a fact that now the people have begun to regard higher education as mere waste of time and energy. I think that under the circumstances the Government would do well if it were to take early steps to remove that impression from the minds of the people because I know it for a fact that they have ceased to take any interest in the spread of education. As an illustration of it, which is to the point, I may state that not very long ago a zamindar of my district went to the authorities of a school in his *ilaga* and told them that his son who had passed the middle examination, had been spoiled and requested them to help him in reverting his son to the original state of ignorance. He further told them plainly that by receiving education his son had become a burden on the parents. I am of opinion that it will be much better and far more useful if such schools are established in rural areas where arrangements are made for giving some practical training to those who have passed the middle school examination. In these schools such education should be imparted to the students as may be useful to them in their after life. For example they may be given lessons on agriculture and on book-keeping so that they may be able to keep accounts for themselves. To teach them Algebra or Geometry in middle classes is useless. They should be given education which may help them to realise their rights and their responsibilities and further help them to understand the advantages of co-operation. For these, teachers of exceptional merit and ability should be appointed. They should be able to give practical lessons to their students. At present the rural people do not know what their rights and responsibilities are as members of the State. If you make them realise their duties towards the State and their fellow citizens you will do immense good to the country.

Pir Akbar Ali : Do you mean by 'country' the Muzaffargarh district?

Khan Bahadur Mian Mushtaq Ahmad Gurmani : You can make an experiment in that district and if it is successful you can establish such schools with advantage in other parts of the country as well. (*An Honourable Member :* Do you propose that students should be given lessons on physical culture in these schools?) The need for such a school is greater in the

Muzaffargarh district. Even lambardars, zaildars and other villagers can receive practical education in these schools. Fortunately we have now in the Multan division an earnest worker in the person of Mr. Brayne. He can render us great assistance in this matter. We can establish such a school in the normal school buildings which are at present lying unoccupied at Multan. If the officers of the various departments begin to take interest in this matter I am sure we shall achieve a great success. We should not, therefore, grudge providing money for this purpose. With these words I commend my motion for the acceptance of the House.

Mr. President : Motion is—

That the grant be reduced by Re. 1 with respect to the item of Rs. 1,16,900—Total Training Schools.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (*Urdu*): Sir, I congratulate the Government for having members on those benches who have begun to suggest that institutions should be established with a view to producing nationalist leaders in the country. Of course realisation of a thing always precedes the preparation to achieve it. So far the rural areas were not affected by the Congress propaganda. But here is a member who wants to do what the Congress has hitherto failed to perform. Muzaffargarh is a far-off place and the honourable mover wants to begin from it. I think the honourable mover either did not mean what he said or he had not been able to express his real object. I would ask him, who would teach the boys in that school? Would the lambardars or zaildars or the honourable mover himself impart education to boys on the lines he has suggested? Where should such schools be established? Should they be opened in each village or zail or in each tahsil? How is he going to make it a success? If he is really anxious to have such an institution established in his district, why does he not approach the district board for this purpose? Let them open a school there and we shall see what results it produces. If it proves useful, we will then ask the Government to open such schools in various parts of the country. I think the honourable mover's suggestion is frivolous. I would ask him to refrain from wasting the time of the House by pressing his motion to division.

Mr. R. Sanderson (Director of Public Instruction): Sir, it is indeed with pleasure and interest that I have listened to the statement of the honourable member who has urged the need of a rural school for the people of the *ilaya* from which he comes, a plain statement of what he deems necessary for his people. However, I am not entirely convinced that we have not already gone a long way to meet the situation. He has mentioned the poor condition of agricultural education. In the report of the Royal Commission on Agriculture—I am sorry that I have not the document with me—there is a paragraph which urges upon the Government of India the necessity of imitating, not the rural schools of the Bombay Presidency, but the vernacular system of education in the Punjab where agricultural farms have been attached to a large number of schools. I would not, Sir, I think, create a purely specialised institution of the Bombay type, but I would be prepared to create a type of institution that we require in the countryside which has only just come into existence in England since I came back from leave in 1930. Some of you may have read a pamphlet entitled "Rural Education in England and the Punjab" written

[Mr. R. Sanderson.]

by two members of my service. In this pamphlet these officers have mentioned the hopes of Mr. Morris, the Director of Education in Cambridge. They went to see him to discuss his plans with him, his plans were to start what he called a village college in rural areas of Cambridge. In that college he proposed to continue the education which is given in elementary schools for the adults who have passed out from those schools. I should like very much to see something of that sort in the Punjab, but it is going to be a very expensive business, and I doubt whether the ordinary parent of a boy who goes to a vernacular middle school would be willing to have him to stay on for another two years or even more. He wants to get his boy back to work. Again, having taken this village college scheme into consideration, we have made a very marked change in the vernacular school curriculum of the Punjab in the last six or seven years. We have produced a syllabus suitable for the countryside. This syllabus covers a number of matters which the honourable mover has brought out in his speech. It includes agriculture, co-operation, rural accounts and other subjects of that nature. This curriculum will come into force at a very early date and we are at present at the stage when we are about to advertise, calling upon people to write text-books to meet the proper rural aspect of this syllabus. Therefore, I think, Sir, that the accusation that our vernacular middle schools do not give an education suitable for rural areas will not hold good in future, as I believe it does not hold good at present. I have had a very good example given by one of my honourable friends opposite. Some few winters ago he came to see me and asked me to open an anglo-vernacular school in such and such a village in his *ilaga*. I said, "why? All statistics go to show that the present system of anglo-vernacular education causes un-employment." My honourable friend replied "Not a single boy from the village school has got employment." Then I said, "What on earth are the boys doing?" The answer was that they were *tilling their lands*. Surely, that is an adequate answer. Our vernacular schools are not taking boys away from work on the land; and, I imagine, our new curriculum and our new methods of teaching will improve things still further.

In conclusion, I may say that I should like the honourable mover to visit, as the honourable member for Sheikhpura has done, some of our rural institutions and see how we train rural leaders. He would be inclined to judge favourably of what we have done in the past for ruralisation. I do not think that he now will be anxious to press this motion to a division; but it may interest him to know that a week before I saw his resolution I had written to the Inspector of Schools, Multan division, as a result of conversation with the honourable mover, to ask if he had any idea of reviving rural refresher courses in the old normal school in Muzaffargarh. I am still awaiting an answer. I think, that this is a sufficient statement to persuade the honourable mover to refrain from pressing his resolution to a division.

Khan Bahadur Mian Mushtaq Ahmad Gurmiani (Urdu): Sir, I was really very much surprised to see the honourable member from Ferozepore putting an absolutely wrong construction on my speech. He said that so far the rural people had no sympathy with Congress propaganda, but that the suggestion which I made regarding the establishment of a rural

school in the Muzaffargarh district was certainly going to propagate the Congress views in rural areas. It appears that the honourable member had not carefully listened to my speech otherwise he would not have criticised it in this manner. I made it clear in my speech that the school which I have suggested should impart such education to boys as may make them realise their rights and responsibilities. The object of education is not to spread disaffection and discontent in the country. Its real object is to enlighten people and to increase their knowledge of things around them so that they may be able to discriminate between right and wrong. If the honourable member considers that the object of education is something different, it is not his fault but it is due to some inherent defect in the system of education now in vogue in this country. The honourable member also said that if I was anxious to have such an institution established in my district, I should have approached the district board with that request. He probably ignores the fact that Muzaffargarh is one of the poorest districts of the province. It cannot afford to incur the necessary expenditure. And this is why I have now urged upon the Government the desirability of opening a rural school in that district. The Director of Public Instruction has remarked in his speech that the Education Department has already gone a long way to fulfil the object I have in view, that is to say, that it has attached agricultural farms with many schools in that district. I should like to inform him as well as the House that almost all these farms have been discontinued. And in the farms which are still in existence no practical work of any value is being done. I ask, why not open a school of the kind I have suggested? The Director of Public Instruction has not held out any promise but has said that he would sound the Inspector of Schools, Multan, on this point. But if the Director of Public Instruction is prepared to give an assurance to the effect that in case the Inspector of Schools agrees to this suggestion a rural school of the type I have suggested will be established in my district, I will have no objection to withdraw my motion.

Mr. President : The question is—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 1,16,900—Total Training Schools.

The motion was lost.

Chaudhri Allah Dad Khan : Sir, I oppose the grant of the whole demand. In this connection I want to draw the attention of the House to one very important matter, that is the paper on Geography set this year for the matriculation examination. The

4 P.M.

consequence of this paper is serious. I should think the honourable members realise the seriousness of the case I am bringing to their notice. This paper on Geography is a compulsory one and all students are sure to fail on account of the nature of the paper, and you know that every moment of a young boy's life is very precious and he cannot afford to waste it. The nature of the paper is such that every youngster will be discouraged from continuing his studies. If I am allowed to describe the paper mildly I would describe it as a most damnable document ever set for the matriculation examination.

An Honourable Member : Is the word 'damnable' a parliamentary expression?

Mr. President : Had the word been used with reference to an honourable member, it would certainly have been objectionable. But as the honourable member has applied it to a document, I am not sure that it is unparliamentary. So the honourable member has the benefit of the doubt.

(At this stage Mr. President left the chair and it was occupied by the Deputy President.)

Chaudhri Allah Dad Khan : In order to give a clear idea of this paper and also for the benefit of those who have not seen the paper, I shall read the paper itself. At the outset I may point out that it is not stated anywhere in the paper that it is set for the matriculation examination. Even my honourable friend, Mr. Garbett, who is a Fellow of the Royal Geographical Society cannot tell for what class this paper is intended. If Geography were a subject compulsory for the degree examination, and if this paper were placed in the hands of candidates for that examination, that would have been most appropriate. I shall not keep the honourable members waiting, but shall proceed to read the paper. It begins like this—

NOTE 1.—Answers to questions in Parts I and II must be written in separate answer books.

NOTE 2.—Answers may be written in English or in any of the vernaculars—Urdu, Hindi or Punjabi. State on the title cover the script used. Script used must be the same as indicated in your admission form.

NOTE 3.—Be brief and to the point.

I have never seen so many instructions even in the B. A. paper. These are evidently intended to confuse the minds of the youngsters who are not more than 13 or 14 years of age. The note says "Be brief and to the point." (*Hear, hear*). I hope that cry of '*hear, hear*' is not meant to give me the same instructions. The note further goes on—

Credit will be given for neatness. Sketches and diagrams should be given whenever these add to the clearness of the answer.

NOTE 4.—Candidates should give their roll numbers both in figures and words.

I say many of these instructions are absolutely useless. For instance, what is the good of note No. 2? Boys know that they can answer in any of the languages specified in the note. Where is the need of indicating the script itself. These instructions are not only intended to confuse the minds of the youngsters, but also to waste their time by making them read these instructions.

After this introduction, the question paper gives further instruction—"Attempt question I and only three more out of the rest" as if the number of instructions already given are not enough to confuse the minds of the young boys.

I shall now come to the questions themselves. I shall read the first question to point out to you the stiffness of it.

On the accompanying map of India the areas with 10", 20", 40", and 75" mean annual rainfall are shown. Mark boldly in these areas—

- (a) the parts producing sheep, wheat, cotton, sugarcane and rice ;
- (b) the most densely and thinly populated areas in the country ;
- (c) any two harbours on the east or the west coast, along with the railway lines connecting the same with the interior.

I may point out that these are the questions meant for the matriculation examination. Even the very English used will confuse the candidates. See

where the object of the verb "mark" appears. The students will be puzzled not to see the object immediately after the predicate, but appearing at a long distance. Even in the Criminal Law Amendment Act you have not got such long and involved sentences and complicated and obtruse language. The language used in this paper is more fit for a legal document than for a question paper on Geography set for the matriculation examination. The question might have been put in more simple language, each part being couched in a separate sentence. Again the nature of the questions is such that unless the candidates had crammed the text-book which I have got in my hands and which covers about 960 closely printed pages, they would not have been able to answer it.

The second question goes on—

Compare (a) the relief, (b) the climatic conditions, (c) the human activities in Bengal with those in Tibet Plateau.

What does the examiner mean by "human activities in Bengal?" Does he refer to the terrorist activities, the murderous activities, the trade activities or the literary activities? (*The Honourable Revenue Member*: All activities). My honourable friend the Revenue Member says that the examiner meant all activities. The province of Bengal has got a host of activities which even the most political minded of these gentlemen cannot enumerate. How can these poor boys be expected to answer this question satisfactorily? (*The Honourable Revenue Member*: The note says "Be brief and to the point"). I myself do not understand what "activity" it means. Does it refer to activities in making speeches? It is clear, in any case, that the question is vague and indefinite. I am sure the House admits that this is a most ludicrous sort of question by the number of interruptions during my speech. It admits that this is a most ridiculous paper and this, a most ridiculous question.

After this remark of mine, can any honourable member imagine that these boys will pass in the examination unless grace marks are given? Are these questions taught to these boys in schools? I understand that there is somebody at the head of these examiners who examines all these questions and I really wonder how this paper escaped his notice. Such things should not be allowed especially in an examination where the boys learn only the rudiments of the subject and are not expected to be very highly advanced like my honourable friend Mr. Garbett. These boys are not expected to write treatises and books on Geography. The questions should be such as to see whether the students have studied the text-book. Evidently in the case of this question paper the examiner has shown that he is the follower of the doctrine of "thorough" and this theory seems to have appealed to him more than anything else; or probably he wanted to show off his knowledge of the subject.

The third question says—

Tea, rubber, butter and jute are exported from Asia to Europe. Name one area with its chief harbour, for each product, and explain the conditions favouring the production of these exports.

I daresay the boys are not expected to know the conditions favouring the export or the production of these things. This is a question for those

[Ch. Allah Dad Khan.]

who have made a special study of the subject of Geography. The one idea that seems to have influenced the examiner is to pluck the candidates one way or the other. In that way the gentleman is unconsciously doing a dis-service to the University which stands for spreading education and culture among the masses of this province. This gentleman has gone contrary to the wishes of the University and should therefore be condemned very severely by the members of this House and also by the University authorities.

Then, I come to the fourth question—

How is the supply of cheap electric energy from the Mandi Hydro-Electric Scheme likely to affect the agricultural and industrial development of the Punjab? Name the areas which will be served under this scheme.

Here is a question for my honourable friend, Dr. Gokul Chand Narang. Only the other day he said he was not sure whether electricity would be beneficial to the agriculturists or not in the near future. He is an M.A., a Doctor and so forth. He has visited Jogendernagar and has had the advantage of seeing the works personally and yet he is not in a position to say whether electric energy would be useful to agricultural industry in this province. I suppose here is a lesson for him to learn from this question paper. If even the Honourable Minister is not sure whether the electric energy will be useful for agricultural purposes or not, it is really a surprise how the young candidates can be expected to know it, candidates who do not even know that electricity is produced in this way and that it will do good or harm to agriculture. How, then, can this question be justified? Can any man with a little brain in his head say that this question is fit to be asked of matriculation candidates? He does not know even how electricity is produced from the fall of water, how it is conserved and how it is used. Besides this subject has not been discussed in the text-book on Geography. How can the boys answer the question? I may say that the expression which I used at the beginning of my speech describing this paper is more than justified by this question at least if not by any other question. This is the most damnable document ever set to candidates of 13 or 14 years of age at the matriculation examination. Having said all this, I can see no excuse for excusing him from the condemnation which awaits him. When he has not the sense enough to realise what sort of paper he should set for young boys of 14 or 13 years of age, I think he deserves to be severely condemned. He should have had sense to understand what sort of questions should be asked of young students and what sort of questions should be asked of advanced students. He cannot just do as you say in vernacular,

ہر ایک کو ایک لاکھی سے ہی بھین مانگ سکتا

This is a fit question to be put in economics to a student going up to the degree examination or for M.A. examination or for post-graduate study and this is a question which even my honourable friend, the Honourable Dr. Gokul Chand Narang could not answer in this House with all the degrees he possesses, with all the ability and experience and all the tact that he has in answering the Council questions rightly or wrongly. Now what is to be the punishment for such a man who sets such questions? He ought to be debarred from examinership for ever and all the fees due to him should

be forfeited to the University. This is not a case where a mere warning will do. Perhaps he had the idea in his mind when he set these questions that he would be considered a literate and bold man. I can give him credit for being a very learned man. But he has utterly failed to appreciate the degree of intelligence and the degree of ability expected in young boys who appear for this examination. We have seen papers set by Europeans. They will be in the simplest possible English and easy questions which a man with a little knowledge and little intelligence can answer. Strangely enough when Dr. Gokul Chand Narang himself could not answer this question when I put it to him on the floor of this House, perhaps the teacher thought that it could be answered by the matriculation students. This is not the criterion of examination of an advanced University. Punjab University is not in its infancy. It is composed of high educational authorities like Mr. Manohar Lal, the Director of Public Instruction and the Registrar whom I happen to know from the time I was a professor in the college. When these eminent authorities are at the head of the University, it is strange, and I am sorry to see that such questions are put to the matriculation students. I am sorry the Honourable Sir Henry Craik is not just now in his seat, for I would have shown him what a damnable thing this is. This is a very serious matter; otherwise I would not have raised it. (*Interruption*). Yes, this is more important than an adjournment motion. It shows the damnable nature of this paper. Even if you have no other consideration, at least you must have pity on these boys. Most of these boys have very slender resources and if they fail in this examination after studying for 10 years, their career will be ruined. A rich student may appear again for the examination. But a poor student cannot appear. His career is ruined. All his energy is wasted. An otherwise intelligent boy would be discouraged by such papers and he may not pursue his studies. Are not these facts appealing to your minds? Can they not be considered calmly and coolly? At least you should have some pity on these boys. We are after all human beings. The boys will be dreaming in their dreams the horrible results that may follow them from such questions. They will say:

پورا رے دل در بستہ ہے تابی سے کیا حاصل

مگر پھر تاب زلف پر شکر کی آزمائش ہے ؟

I am sorry this question was not listened to by the Honourable Finance Member. Now that he is here, I can read it out again for his benefit:

How is the supply of cheap electric energy from the Mandi Hydro-Electric Scheme likely to affect the agricultural and industrial development of the Punjab? Name the areas which will be served under this scheme.

This question which could not be answered even by the Honourable Dr. Gokul Chand Narang on the floor of this House was put to the matriculation students. I, therefore, ask the Government members to have pity on these boys and see that every boy passes in Geography whether his answers are right or wrong. I remember in 1910 when I was a professor in a college, I saw that a paper in mathematics was very difficult and I described the questions in it as swallows in winter season or as fishes in a desert and the newspapers taking cue from it brought it to the notice of the authorities, considerable grace marks were given and nobody failed in that year. So you should take pity on these boys. They are the future fathers. They

[Ch. Allah Dad Khan.]

are the future reformers of this country. They should not be discouraged. I would not have brought forward this question before this House had I not felt the severity of this paper. Perhaps you may say that I am exaggerating things. But in this case at any rate I have not exaggerated. I appeal to the elected members as also to the Government members to rise like a man and carry this cut which I have moved and save the students from slaughter, which will be worse than the slaughter of innocents in England on St. Bartholomeos day. I make an appeal to all the members, both elected and official, in the name of these youngmen, in the name of these poor students who cannot afford to read one more year, to take pity on these boys, to show some lenience to them and save them from disaster.

Khan Bahadur Captain Malik Muzaffar Khan (Mianwali, Muhammadan, Rural.) (*Urdu*): Sir, I oppose the whole demand and in doing so I am not sorry although I fear that my opposition may prevent favourable consideration of the request that I am going to make. Not to keep the members in suspense for long I may say that my request is very simple. I do not want that leadership schools should be opened here or there nor do I insist or urge the necessity of imparting this sort or that sort of education in our schools and colleges. What I want is that a high school for the education of girls should be opened at the earliest possible opportunity in the Mianwali district. It is a pity that even in the time of our present Minister and the Director, who are known to be very able and just, this side of a very important reform should have been neglected in this manner so far as my district is concerned. I am sure that there is no other district in the province in which there is no girl school. I know there are districts in which there are not only more than one such school but which can claim to have middle schools, high schools and intermediate colleges for girls. But Mianwali is the only district in which at present there is no girls school at all. Sometime back there used to be a primary girls school under the management of the municipal committee, but that has also been closed down for want of funds. While on this point I may say that it is not the first time that this request is being made. We have made representations before on the subject and only a week ago I, at the head of a deputation consisting of some of the most respectable persons of that district, waited on the Director of Public Instruction and requested him to arrange to open a high school for girls at Mianwali on the 1st of April next.

The Honourable Captain Sardar Sir Sikander Hyat Khan: No, the school should be opened on the 2nd and not on the 1st of April.

Khan Bahadur Captain Malik Muzaffar Khan: We are not very particular about this school opening on the 1st or 2nd of April. What we want is that it should be opened in the month of April so that one year of the lives of the girls, who have been studying in that Primary school which has recently been closed, may not be wasted.

It would cost very little to the Government to open a school at Mianwali. The building and other furniture required for a school is already there. The Government can ask from the local authorities whether this is so or not. The building and the furniture of the municipal school which has been closed can be utilised for this new school. The Government very

readily agrees to open schools at places like Rawalpindi, Campbellpur and Muzaffargarh, where there are already many schools and many educated men. Sir, I request the Government, the Education Minister and the Director of Public Instruction to see their way to accede to my request. With these few words I support the *cut* now before the House.

The Honourable Malik Sir Firoz Khan Noon (Education Minister), (Urdu): Sir, I may assure the honourable member from Mianwali that I and the Education Department have every sympathy with the desire expressed by him. It gives me pleasure to say in this connection that the honourable member has been discharging his duty towards his constituents very conscientiously for which the latter should be grateful to him. He has, to say the least, justified his election from that constituency and whenever any occasion has arisen he has never failed to press upon the Government's attention to the needs and requirements of his district. For the information of the House I may say that he tried once before to press the Education Department to open a girls high school at Mianwali and if it had been possible to meet his wishes the department would never have hesitated to do so. But as it has been explained to him before it is not possible to open a high school for girls at Mianwali at once. Amongst other reasons is the fact that it will not be possible to find students at present for the 10th class, because the previous girl school at Mianwali was only up to the sixth standard. However, enquiries are being made by the department to find out if we can open a girls middle school there, because as I have said, it is not possible to open a high school for the present. As soon as that enquiry is completed the matter will be referred to the Finance Department and if funds are available, I can assure the honourable member that the needful will be done. I think that will satisfy the honourable member.

As regards the question paper on Geography I am not in a position to say whether the paper was actually stiff or not. I have never been an examiner and I claim to have no experience about this matter. But it appears that the honourable member from Ambala has assumed the roll of an expert in educational matters. This is what he meant to imply I suppose when he said that he has been a professor in some college. By the way may I know which college it was where he has been working as professor? (*An honourable member*: In the Bahawalpur College). I realize this for the first time. Before this I knew the honourable member to be an expert in revenue and political matters only but I am glad to learn to-day that he claims to be an expert in educational matters as well. And if what he has said about this question paper is true I think it should carry weight with the University authorities. As the honourable member is aware, it is purely the concern of the University and we cannot interfere in a matter like this. What I can do is to send a copy of his remarks to the University authorities and this should satisfy the honourable member. Beyond that I cannot say anything about this matter.

Mr. President: Question is—

That a sum not exceeding Rs. 1,47,63,600 be granted to the Punjab Government (Ministry of Education) to defray the charges that will come in course of payment for the year ending the 31st of March 1934 in respect of Education (Transferred).

The motion was carried.

EDUCATION (RESERVED).

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) : Sir, I beg to move—

That a sum not exceeding Rs. 5,20,300 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 1934, in respect of Education (Reserved).

The motion was carried.

POLICE.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Sir, I beg to move—

That a sum not exceeding Rs. 1,10,99,300 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 1934, in respect of Police.

The motion was carried.

JAILS AND CONVICT SETTLEMENTS.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Sir, I beg to move—

That a sum not exceeding Rs. 30,08,000 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1934 in respect of Jails and Convict Settlements.

The motion was carried.

ADMINISTRATION OF JUSTICE.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Sir, I beg to move—

That a sum not exceeding Rs. 43,57,500 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1934 in respect of Administration of Justice.

Mr. President : Motion is—

That a sum not exceeding Rs. 43,57,500 be granted to the Governor in Council to defray the charges that will come in course of payment for the year ending the 31st of March 1934 in respect of Administration of Justice.

Sardar Buta Singh (Multan division and Sheikhpura, Sikh, Rural) : Sir, I beg to move—

That the grant be reduced by Re. 1 with respect to the item of Rs. 5,64,000—Judges.

The Honourable Sir Henry Craik : On a point of order. I submit that this motion is out of order. The appointment of judges in the High Court is not a concern of the local Government. These appointments are either made by His Majesty the King or by the Governor-General in Council but not by the local Government. This point has been settled before by the Chair in 1928 or 1929.

Rao Bahadur Chaudhri Chhotu Ram : Sir, If I remember aright last year you allowed a motion of Re. 1 cut in respect of the salaries of commissioners.

Mr. President : Will the honourable member please refer me to the volume and page of the proceedings on which he relies.

Rao Bahadur Chaudhri Chhotu Ram : I may not be able to refer you to any page of the proceedings but I remember that you allowed a motion of this character with regard to commissioners.

Mr. President : It must be with regard to the establishment of commissioners.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Sir, the point is not whether it is a voted or a non-voted item, but the point is that since the appointment of judges rests with the Governor-General or His Majesty the King, it is not for this House to discuss that grant.

Rao Bahadur Chaudhri Chhotu Ram : The appointment of temporary additional judges rests with the local Government.

The Honourable Captain Sardar Sir Sikander Hyat Khan : No, it rests with the Governor-General.

Mr. President : I am not sure whether I should express any opinion on this point, but I think that the number of judges might possibly be discussed but not their appointment.

The Honourable Sir Henry Craik : In this connection may I call your attention to your own ruling given on the 20th March 1930 when you said that the number of judges is fixed by the Government of India Act and His Majesty can appoint up to that number and thereupon you ruled out a similar motion.

Mr. President : That was Rao Bahadur Chaudhri Chhotu Ram's amendment whereby he wanted to urge the appointment of an agriculturist as a judge of the High Court.

The Honourable Sir Henry Craik : I am speaking of another one. The amendment moved by Shaikh Abdul Ghani in which he stated that his object was to press upon the Government the desirability of having one Muslim as a permanent judge of the High Court. It is printed on page 761 of volume XV of the Punjab Debates.

Mr. President : I rule the motion of Sardar Buta Singh out of order.

Sardar Buta Singh (Multan division and Sheikhupura, Sikh, Rural) : Sir, I beg to move my next motion, namely—

That the grant be reduced by Re. 1 with respect to the item of Rs. 3,78,500—Total Pay of Establishment.

With your permission, I draw the attention of this House to this consolidated statement showing the proportionate representation of the various communities serving in the various departments of the Punjab Government as it stood on the 1st of January 1933. Against number 10 we see High Court. There, if you kindly look through all these posts, it is as evident as anything that among the 8 gazetted ministerial officers, there is not a single Sikh. Then there are superintendents. They are 8 in number and out of these 8, there is only one belonging to the Sikh community. Then, there are 178 clerks, of whom only 15 belong to the Sikh community. Then there are 51 head clerks of whom only 3 are

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Sikhs, but not a single one of them belongs to the notified agricultural Sikh community. Lastly out of 1,249 other clerks there are only 17 plus 58 Sikhs. The matter is so very evident that I need not take the valuable time of the House in going through all the figures in detail. I want that justice should be done to each and every community. This is only a just demand of my community. With these words I commend my motion for the acceptance of the House.

Mr. President : Motion is—

That the grant be reduced by Re. 1 with respect to the item of Rs. 3,78,500—Total Pay of Establishment.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban), (Urdu): Sir, I have got every sympathy with the cut moved by my honourable friend. But unfortunately whenever any member belonging to his or some other community moves a cut he does so believing that we the Muslim members will support him. On the other hand when we move a cut with a similar purpose they become tongue-tied. They never support us.

Mr. President : The honourable member will please speak to the motion before the House.

Shaikh Muhammad Sadiq : I am coming to the motion. (Urdu), all members whether Muslims, Sikhs or Hindus complain that in different departments their representation is less. Each community says that its representation in a particular department is small. This complaint is bound to continue so long as we do not try to come to an understanding. We cannot support each other so long as we do not divorce all communal ideas and develop a sense of justice and equity. Through you I request the Deputy President to withdraw his cut. I believe the Sikhs have got a very small representation in the High Court, but the case of the Muslims is also the same. I want the honourable member to show some patience. Whenever there is a matter which is the concern of the Honourable the Sikh Minister they never care for our feelings and try to achieve it in their own way without having the least regard for our interests. Although I have got every sympathy with him I request him to withdraw this cut and in its stead move a cut with the purpose of asking the Government to give proper representation to all communities in its various departments. Let the responsible officers take interest in this matter and give to every community its due share in the various services. Let them control and supervise the work of their subordinates carefully. Let them make these appointments conscientiously. In the various departments generally these appointments rest in the hands of the subordinates. It is the head clerks or the superintendents that make appointments. Sometimes a candidate of years standing is not taken while a new man is taken in his place. The name of the old candidate is struck off the register and the officer never takes notice of it because he never knows the manipulations of his subordinates. Let all the representatives of various communities arrive at a mutual understanding with regard to this matter and then we will never oppose any such cut.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (Urdu): Sir, I associate myself with the remarks made by the honourable member represent.

ing Amritsar. I further wish to add that in the High Court at in any other department where the proportion of Muslims is more than that to which they are rightly entitled their number may be lowered to the percentage fixed for them and in this way the vacancies which may occur may be filled by Sikh candidates. But if the number of Hindus is more than what they are rightly entitled to, then the Sikhs may complain to them and get their grievances remedied by them. They have, however, come to an understanding with them. If we all try to give a practical shape to the suggestion of my friend Shaikh Muhammad Sadiq I think we can succeed in satisfying all the communities in the future.

The Honourable Sir Henry Craik (Finance Member) : The object of the honourable the Deputy President's cut is

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to discuss the paucity of Sikhs in the High Court establishment, but in speaking to it he strayed beyond the establishment of the High Court and referred to the establishment of the lower courts given in the statistical volume. This illustrates the importance of the point which I venture to press upon the Chair that if due notice is not given of cuts, it would be impossible for us to answer them. In the present case the cut deals not with the subordinate courts but only with the High Court, and if cuts could be put in dealing with subjects of which we have had no notice it is impossible for us to answer as it is impossible for me to answer now in regard to subordinate courts.

As regards the High Court I would like to remind the honourable member of the constitutional position. Under the Letters Patent the ministerial establishment of the High Court is appointed not by Government at all but by the Chief Justice, and Government has no power to interfere with the appointments to the ministerial establishment of the High Court. That is the legal position founded on the Letters Patent under which the High Court is constituted. But I have been by the courtesy of the High Court supplied with certain figures which are relevant to the motion before the House. There are altogether in the High Court 8 superintendents and 178 clerks. Among these there are 16 Sikhs or about 9 per cent. of the staff. But the Judges have recently with a view to improve the representation of Sikhs taken 5 more Sikhs on their temporary staff and these will, it is expected, be absorbed in the permanent cadre in due course. That will raise the number of Sikhs to 21 and the percentage will be raised to 11 which is the same as the percentage of Sikhs in the Civil Secretariat. It is a little below their percentage of population which is now just under 13. But it must be remembered that the great majority of Sikhs are rural people dependent on agriculture, not living in the cities. So we can hardly expect to find that the percentage in offices in big towns will correspond to the total percentage of their population. What the honourable member has referred to as the paucity of Sikhs in the High Court is, I am told, due to the fact that their number was apparently small on the permanent staff as it stood before the present system of recruitment was introduced. In the matter of fresh recruitments the Judges always pay proper regard to the proportions of all communities including the Sikhs.

Sardar Buta Singh (Urdu) : Sir, I have got up to reply to one or two things. My honourable friend from Amritsar suggested that we should

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decide these things amongst ourselves. For my part I have never been averse to any sort of compromise. And even now I am prepared to act according to his advice and am willing to decide the question of representation of each and every community by mutual agreement.

As I pointed out in my speech at the time of the general discussion of the budget, Sikhs have not received their due share in Government services, that is, to say they do not enjoy a representation proportionate to their importance. I have never suggested that Mussalmans should be ousted from any service nor that the Sikhs should be placed in their stead nor have I ever demanded that Hindus should be turned out in order to make room for my community. What I always have demanded and even now ask for is that the Sikhs should be given their share on the basis of their being a very important minority in all the posts that are likely to fall vacant in future. Pir Akbar Ali has said that we should address our complaint to those officers who are responsible for making recruitment in various departments of the Government. The Honourable Finance Member says that it is the Chief Justice or some other honourable judge of the High Court who is responsible for making appointments to this particular cadre. After hearing all these different suggestions I am at a loss to know what to do, nor do I understand as to who should be approached to get these grievances redressed. I, however, would urge that since we have no Sikhs as heads of departments we have no chance of securing the services in the lower ranks. And this is why I have so many times demanded the appointment of able Sikhs as heads of the Government departments, and as judges of the High Court. Moreover, it is not fair on any one's part to ask us to approach the heads of departments with a view to get our grievances redressed. If we have to go to the heads of departments what are we here for? I hope this Council will give a sympathetic consideration to our demand. We contribute to a very large extent to the revenues of the Government and hence the Government should think it their duty to do justice to us. I, however, would again point out that my object in bringing forward this motion is to ventilate the grievances of my community in this respect and in view of the assurance that the Government will take steps to give them their proportionate share in this cadre I will not press my motion.

The motion was by leave withdrawn.

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. 2,34,650—Total Pay of Officers.

Sir, an honourable member suggested just now that the recruitment to various posts should be made on the principle, that efficiency should not be sacrificed for the sake of any consideration whatever. I want to ask him if it is a fact that no candidate has so far come from the Sikh community who could be deemed able enough to hold the post of a public prosecutor. I cannot refrain from saying that if no Sikh candidate has so far been selected for the post of a public prosecutor this has been due to the Government ignoring the rights of the Sikh zamindars. This is a fact which has even been admitted by the Legal Remembrancer as well. I demand that justice

should be done to my community and I assure you that so long as this just grievance of my community is not fully redressed by the Government I will continue to press this point. If you cast a glance over the consolidated statement showing the proportionate representation of the various communities you will find that the number of Sikh zamindar public prosecutors is nil.

(a) Government Advocate—Sikh zamindars, zero.

(b) Assistant Legal Remembrancer—Sikh zamindars, zero.

(c) Public prosecutors—Sikh zamindars, zero.

(a) Superintendent—Sikh zamindars, zero.

(b) Head clerks—Sikh zamindars, zero.

(c) Clerks—Sikh zamindars, zero.

Grand total—Sikh zamindars, zero.

I hope my honourable friend from Amritsar will not refute this statement of mine (*laughter*). This is an outstanding grievance of the Sikh zamindar community and the Government should take immediate and effective steps to redress it. The Sikh zamindars are generally inhabitants of rural areas and it is they who are responsible for a good deal of litigation in the province. It is they who are in a majority in the jails of the province. (*Laughter*). Now when they take such an important part in the activities of the department they deserve some posts in the cadre of public prosecutors as well. If you will appoint Sikhs zamindars as public prosecutors a very good result will accrue from it. Sikh zamindar accused will be ashamed to find themselves being prosecuted by Sikh zamindar; and in this way a considerable decrease will result in the number of criminal cases. With these words, Sir, I commend my motion for the acceptance of this House.

Mr. President : Motion is —

That the grant be reduced by Re. 1 with respect to the item of Rs. 2,34,650—Total Pay of Officers.

Mr. S. L. Sale (Legal Remembrancer) : I venture to suggest that the motion moved by the honourable the Deputy President in this case is based on a misconception of the exact position of public prosecutors. I think my honourable friend is under the impression that public prosecutors are in the same position as Sikh employees in the High Court or in Government service. But as a matter of fact, public prosecutors are not strictly speaking Government servants at all. The relationship between Government and a public prosecutor is that of a client and counsel and not that of master and employee. And in employing counsel, whether it be a standing counsel to do work in a district or a counsel to take charge of some particular case, there are a variety of considerations by which we are guided which do not apply when it is a question of recruiting Government servants to a cadre. To illustrate my point I think perhaps I could kill two birds with one stone by referring to the circumstances regarding the appointment to the cadre of the last Sikh public prosecutor. Amongst other things the honourable the Deputy President took exception to the fact that there were very few Sikhs in the cadre. The fact is that although he is perfectly correct in saying that there is no Sikh zamindar public prosecutor there are as a matter of fact three Sikh public prosecutors in the cadre at present. Up till 1929 there were only two Sikh

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public prosecutors in the cadre. Since then although the total number of public prosecutors has not been increased we decided to increase the representation of Sikhs and we appointed a third Sikh public prosecutor. In that particular case it was a question of appointment to an outlying district in the Multan division; and as there was a competent Sikh approved candidate in the division conversant with the language and local customs of the people, Government took the opportunity of appointing that gentleman to the post. But that gentleman happened to be a non-zamindar and it is correct to say that on that occasion there was no available Sikh zamindar candidate. Otherwise I have no doubt that on that occasion Government would have given preference to a Sikh zamindar candidate. But inasmuch as there was available a legally qualified and competent Sikh non-zamindar candidate it would obviously have been unfair to that particular gentleman, to search amongst the various other districts in the Punjab in order to find out whether there was any Sikh zamindar candidate and to supersede him by the appointment of a zamindar. That I submit would have been unfair especially having regard to the local needs of that particular district of the Multan division.

Now, Sir, Government has in the past on more than one occasion on the floor of this House given certain undertakings regarding the method of recruitment to the public prosecutor's cadre. A Council question was replied to on the 23rd March 1931, and I think I have as a matter of fact had occasion to state this policy myself on previous cut motions. The declared policy is to avoid as far as possible and with due regard to the claims of efficiency undue preponderance of any one community in the cadre of public prosecutors. In considering the question of the appointment to the cadre there are three communities to be taken into consideration the Hindu, the Muslim and the Sikh. And when appointments are made to the cadre we do invariably observe very scrupulously the undertaking which I have recited. But, there has never been an undertaking that we should pay regard to the various sub-divisions of each community (*hear, hear*). There has never been an undertaking that we should appoint a certain number of Sikh zamindars or a certain number of non-Sikh zamindars or a certain number of Sahajdari Sikhs or a certain number of Keshdhari Sikhs and so forth. All that we undertake to do is to see that the Sikh community as a whole should be reasonably represented in the public prosecutors cadre and I venture to suggest that as matters stand at present, that undertaking has been abundantly fulfilled. The latest figures show that the Sikhs have a representation of over 10 per cent. amongst 29 public prosecutors, and I think that having regard to the total number of Sikh practising lawyers in this province compared with the number of Hindus and the number of Muslims that is a very fair representation in this province. In fact, I may say that is a good deal more than the percentage of total Sikh qualified legal practitioners at present on the rolls of the High Court. I have had some figures prepared and I find that the percentage of the number of Sikh qualified practitioners on the High Court Rolls (and I may say that the High Court lists do not go into the question whether they are zamindars or non-zamindars) to the total number of legal practitioners on that list, is about 7 per cent. whereas we have in the public prosecutors cadre a percentage

over 10 per cent. and that figure itself represents an increase during the last three years. If the number of Sikhs is increased any further it can only mean that the number of Hindus and Muslims would be proportionately reduced.

Subject to these general considerations and considerations of efficiency and so on, I have the greatest possible sympathy for the honourable member's point of view. I have taken the opportunity recently in making temporary appointments of anticipating his criticisms by using a power I possess under the Law Department Manual to appoint in a short vacancy a Sikh zamindar in a district not very far from here and I am glad to say that he did his work efficiently and well. But I make no secret of the fact that had he not been a Sikh zamindar he might not have been appointed because he was a very junior candidate on the list of candidates for that particular district. I just quote that instance which has occurred during the last six months to show that the interests of Sikh zamindars are very carefully considered in the Law Department and when opportunities arise in which Sikh zamindars can be employed, these opportunities are not overlooked.

But, Sir, I cannot on behalf of Government give any undertaking that a Sikh zamindar will be permanently appointed to the cadre either for the next vacancy or indeed in the near future. It is a matter of common knowledge that advancement in the legal profession is very considerably a matter of luck. Although I think that in the long run the best man comes to the front, it very often happens that a junior man gets his chance through certain conditions peculiar to some particular case, for example a certain public prosecutor may fall ill or a particular case may arise in which Government wants a special man for a special purpose. The man is appointed and he does well. If he has proved his worth in a difficult case whatever it may be (it may be a criminal case or it may be a civil case) I think that particular candidate's claim has to be considered when permanent vacancies arise in the department in preference to untried candidates merely because that untried candidate happens to be a zamindar to whatever community he belongs. Therefore, Sir, while as I say every consideration is given to the interests of Sikh zamindars as a whole it is impossible when any particular vacancy occurs to say that that vacancy shall be earmarked for a Sikh zamindar or any other class of zamindar, since that would not be fair to other lawyers who have proved their worth in Government employment and would not conduce to efficiency in the administration of the Law Department.

Rao Bahadur Chaudhri Chhotu Ram (South-East, Rohatk, Non-Muhammadan, Rural) : Sir, I have great pleasure in lending my support to the motion which has been moved by my honourable friend on my right. I desire to controvert some of the remarks that have been made by the Legal Remembrancer in his reply to the points which were raised by Sardar Buta Singh. In the first instance the Legal Remembrancer has suggested that public prosecutors are not Government servants and therefore considerations which ought to apply to ordinary cases of Government servants cannot apply to the case of public prosecutors. He said that the relations between the Government and public prosecutors were those that ordinarily existed between clients and counsel. That may be right. I do not say he is wrong. They are not permanent servants ; they are not entitled to any pension on

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retirement, but the fact remains that they earn a certain amount of salary from month to month which is paid out of the Government Treasury and the whole fight, the whole struggle for these posts is really due to the emoluments which attach to them whether those emoluments come in the way of salaries as in the case of Government servants or in other ways. Therefore, the contention that the relations between Government and public prosecutors being just those of ordinary clients and counsel do not allow Government to treat appointments of the post of public prosecutor on the same footing as they do in the case of permanent posts, has really no force.

Then the other ground which was put forward by the Legal Remembrancer was that considerations other than those which prevail in the case of ordinary appointments apply to the cases of public prosecutors. Of course he was kind enough to spare the House as to what the exact character of those considerations was, but probably what he meant was that Government has to pay due regard to questions of efficiency, to the question of ability of the individual candidates who offer themselves for appointment as public prosecutor. I have absolutely no objection to this, but I have been practising for the last twenty years and I can say from my personal knowledge that there are lawyers among Sikhs who are zamindars and who are twenty times better than some of the public prosecutors appointed by Government whom I have known. Therefore his suggestion that considerations of efficiency prevent the appointment of zamindar Sikhs to these posts to some extent is hardly well founded.

Mr. S. L. Sale : Have you seen the list of candidates ?

Rao Bahadur Chaudhri Chhotu Ram : The list is prepared in the office of the Legal Remembrancer on the recommendation of officers who are not zamindar Sikhs and the office of the Legal Remembrancer does not contain a very large number of zamindars. Therefore if fewer candidates happen to be on the list of public prosecutors the fault does not really lie with Sikh zamindars but it lies with either the district magistrate or the Legal Remembrancer himself.

A further suggestion was made that when the last appointment was made to the cadre of public prosecutors, the appointment went to a Sikh. But no zamindar Sikh being available it had to be given to a non-zamindar Sikh. I was unable to follow him when he said that no Sikh zamindar was available. He either meant that there was not a single Sikh zamindar on the list of approved candidates or that there was no suitable Sikh zamindar in a particular district where the appointment had to be made. But I do hope that there were at least a few Sikh zamindars on the list of approved candidates. If there were not, then he may bear the point in mind and put a few zamindar Sikhs on the list when it is next revised. Of course the head of a department is in a very difficult position and he cannot always give an undertaking which he may not be able to fulfil for various grounds. There may be some very good grounds which may prevent him from making a particular appointment. At the same time I feel that it is not desirable that this argument should be used too often.

The Legal Remembrancer made another reference to the general policy which Government has notified in making appointments, and that policy

was stated by the Legal Remembrancer to be that the Government desired to see that no particular community preponderates to an undue extent in any service and if there is any community which is unduly preponderating in any of the cadres then Government will do its best to see that that preponderance is minimised and those communities which are under-represented get their due share. But he restricted the scope of the word "communities" to Hindus, Muslims and Sikhs alone, and will not allow it to cover the case of zamindars.

I will not discuss whether he is right or wrong there. But I must draw his attention to the fact that even this division of zamindars and non-zamindars was recognised by Government as long ago as 1919. There was a definite resolution published by the Government in October 1919 which laid down definite proportions in certain departments and suggested that increased employment should be given to zamindars in all other departments subject to considerations of efficiency. (*Interruption*). Of course. I may draw the attention of the Legal Remembrancer as well as of the Chief Secretary to the columns of this consolidated list. Here we have three main divisions, Hindus, Muslims and Sikhs and under each of these there is a further column for statutory agricultural tribes and others. Therefore the desirability of securing proper representation to zamindars under each of these heads was certainly present to the Government when the form of this consolidated list was prepared. If it was not present to the Government at that time and if any officer or head of a department wishes to contend that this column is really superfluous and the only column needed is column No. 7 wherein is specified the proportion of zamindars as a whole to non-zamindars, then I beg to submit that he is wrong. But if this contention is authentic then that policy should be revised. The mere fact that a certain policy followed by the Government has had the effect of excluding a certain important section of the Punjab population out of a particular branch of public service ought to be regarded as an adequate ground for its revision. After all zamindars form a very important section of the Punjab population and if the Government finds that the policy followed so far prevents the heads of departments from considering under each head the proportion of zamindars, then, that policy requires to be revised. Personally I think that the object of having a sub-division under Muslims, Sikhs and Hindus was to enable the Government to see how things were progressing with regard to zamindars under each of these three groups. And if at any time it is found that the representation of zamindars under any of these three categories is below a standard which Government regards as reasonable, then, I think it is the prime duty of the head of the department to see that that meagreness of representation is removed.

The Legal Remembrancer also said that it was very undesirable and improper to go further down than the main division of Sikhs. Fortunately no question of undesirability or impropriety arises from this cut. So far as the division of Sikhs into zamindars and non-zamindars is concerned, that is already recognised and the mover of this cut never suggested that there should be so many Jat Sikhs, so many Rajput Sikhs, so many Saini Sikhs, so many Labana Sikhs and so on. He simply stated that the main division of the community, that is, zamindars and non-zamindars, even among Sikh

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should be recognised and that the zamindars should be represented in their proper proportion. That request is certainly neither undesirable nor improper.

Another argument that was advanced by the Legal Remembrancer was that it was very difficult for Government to pass over a candidate who had been tried in Government work in favour of a candidate who had not been so tried. With regard to this, again, I submit that after all the question of trying candidates or not trying candidates rests with Government or the officers of Government and it is not the fault of the candidates who take all the trouble to have themselves enrolled on the list of approved candidates if they are not given a chance of being tried. The power of giving this chance of trying candidates rests with sessions judges and district magistrates. There, again, unfortunately, the element of zamindars is practically absent so far as the Sikhs and Hindus are concerned. Of course, there are some zamindars among district magistrates and sessions judges who are Muslims and my experience is that wherever a Muslim zamindar happens to be a sessions judge or a district magistrate, zamindars whether Hindus or Sikhs get a fair chance. But where the sessions judge or the district magistrate happens to be a Hindu, he is always a non-agriculturist and I regret to have to say that the tendency on his part is to ignore the claims of zamindars. What the reasons which influence him in adopting this attitude are, it is not for me to say, at present. All that I propose to say on the subject now is that the question of giving chances of trial to approved candidates of the zamindar class rests with the sessions judges and district magistrates and if those chances are not given to approved candidates of the zamindar class, the fault is not that of the zamindars, but of the district magistrates and sessions judges.

Lastly, I come to the point of percentages. The Legal Remembrancer stated that the percentage of Sikhs among legal practitioners was 5·7. If Government were to adopt the principle of restricting the proportion of posts of public prosecutors to be given to zamindars and non-zamindars on their percentage among legal practitioners, then the result would be that the proportion for the next twenty years will be startlingly meagre for zamindars. After all a community which has had an advantage once will maintain that advantage for a good long time and the zamindars who are late comers in the field of education will always remain unrepresented in the cadre of public prosecutors to the extent to which they are entitled. Therefore I beg to submit that the heads of departments and the district officers should bear in mind that it is ridiculous to stick to the precise arithmetical proportions suggested by the Legal Remembrancer. I myself do not suggest that if Sikh zamindars are entitled to 7 posts, they must have that precise number to themselves. I do not insist on the full pound of flesh. At the same time I would insist that Government officers should not make it a rule that if their representation among legal practitioners is 5 or 6 per cent, then the number of Sikh zamindars among public prosecutors will also be restricted to that percentage. That is an erroneous policy and I hope Government will give it up.

The Honourable Sir Henry Craik (Finance Member): Sir, the honourable member for Rohtak is an adept, as many lawyers are, in making

figures serve his purpose ; and he has displayed great ingenuity in using figures which the Legal Remembrancer quoted with one object to point to an entirely different moral. The learned Legal Remembrancer said that the total Sikh qualified legal practitioners was 7·26 of the whole. In other words, there are 4,416 legal practitioners in the province and out of these only 821 are Sikhs. Still, we have on our cadre of public prosecutors three Sikhs out of a total of 29 which gives a proportion of 10 per cent., whereas Sikhs form only 7 per cent. of the total number of lawyers. That was the object with which the Legal Remembrancer quoted those figures. The honourable the leader of the Unionist Party with an ingenuity which I was unable to follow, somehow or other deduced from those figures the conclusion that we are not giving due representation to the statutory zamindars. I do not know how many of these 821 Sikh lawyers are zamindars. I fancy it must be a great deal less than one hundred. That is only a guess and I have no figures to give. But I would hazard a guess that of every five Sikh lawyers four at least are non-zamindars.

The honourable member further said that among his acquaintance he knew innumerable zamindar legal practitioners who were twenty times better than the people whom we employ as public prosecutors. (*Interruption*). We pay our public prosecutors a comparatively low salary. It has been lowered considerably in the last year or two, and no man in the first rank of the bar would dream of accepting a public prosecutor's place. Let it be understood that these are not jobs which attract the best men. The best men go to High Court and can hope to make four times the amount that a public prosecutor makes. It is ridiculous to contend that these posts are prize jobs of the bar. There is no public prosecutor who would not gladly exchange his post of public prosecutor for the lowest grade in the judicial bench.

The honourable member hinted that the candidate list of public prosecutors is composed of nominees of the district magistrates and the nominees of the Legal Remembrancer. That is an insinuation which I desire very strongly to repel. I know the very anxious and scrupulous care which Mr. Sale devotes to this part of his duties. I know that not only in making appointments, but even in accepting a gentleman as a candidate for his list he exercises the greatest care. He interviews each candidate four or five times himself before he accepts him. He gets reports on the candidate not only from district magistrates and sessions judges, but from such other sources of information as are available. And when it comes to making appointments as public prosecutors, whether acting or temporary, I can assure the honourable member that both Mr. Sale and myself consider every aspect of the question with the greatest care. The consideration to which I personally attach as much importance as to anything else is whether I can possibly find an opportunity of appointing a zamindar. Every time I have an appointment of this type to make, the first question I ask myself is, can I get a zamindar for this appointment? But I am not going to put in a zamindar if I am doing injustice to the claims of a man who has acted frequently or who has acted continuously for two or three years before he could be confirmed. But I can assure the honourable member that on every occasion when an appointment is made, the first question I would put is whether the candidate is a zamindar and if not, whether it is possible to appoint a zamindar. We then consider to which community the appoint-

[The Hon. Sir Henry Craik.]

ment should go. That takes our most anxious consideration. We then have to consider the local circumstances of the appointment, in what district the appointment is made, because, I can assure the honourable member that I am often approached by members of this Council regarding the necessity of posting to their district a Hindu or Muslim or Sikh as the case may be. At the same time we have to consider—and this is a very important point—the professional equipment of the candidate whom we contemplate appointing. It must be remembered that the appointment of a man who is a bad lawyer, who is not able to compete with the members of the local bar, might have the most disastrous consequence resulting probably in grave miscarriage of justice in the acquittal of criminals or in the failure of appeals and so on. So professional efficiency is a most important part of the equipment of a public prosecutor. If the honourable member will examine the figures for the department as a whole, he will see that out of the total number of public prosecutors belonging to all communities, 29 per cent. are zamindars and I am certain, though here again I cannot quote any figures, that that proportion is steadily increasing. If he gets the figures of ten years ago, he will find that the proportion of zamindars was considerably lower than what it is now. In the case of the Sikhs, I admit that of the three there is not one who is a zamindar, though I believe that at least two of them are landholders in a fairly large way. But I submit that it is not fair to take a single community which has a small representation and then say that the zamindars are neglected or unfairly treated because we have not got a zamindar member of that particular and small community. As I say, of the 300 Sikh lawyers, I should be surprised if one-fourth are zamindars. As regards the statement of the honourable leader of the Opposition that he knows of Sikhs lawyers who are 20 times better or zamindar lawyers who are 20 times better than our existing public prosecutors, all I can say is that speaking with 33 years' experience of the Punjab and having sat as a judge, as a magistrate, as a collector and a commissioner and having had innumerable members of the bar appearing before me, I can never remember a Sikh zamindar lawyer who was better than any other lawyer.

Chaudhri Allah Dad Khan : Sir, I rise to support the motion under discussion. After hearing the Honourable Finance Member there are one or two points which strike me very strange in his speech. The contention of the honourable member who moved the motion is that the Sikhs should be given a representation according to their population, not according to the number of Sikh pleaders or Sikh advocates. Taking the wrong figure, the Honourable Finance Member has criticised the leader of the National Unionist party as twisting the figures while his contention was that the Sikhs should be appointed according to the population and not according to the number of Sikh pleaders or Sikh advocates. Sikh pleaders and advocates do not by themselves constitute a caste or community. They should be taken according to the community from which they come. When I say that the number of Muhammadan public prosecutors should be increased, I mean that it should be increased according to the Muslim population. Clearly what the honourable mover wants is that Sikhs should be given a representation warranted by their population. The number of Sikh pleaders

or advocates is not the criterion. If the proportion is to be fixed according to the population, then that number should be drawn from among the existing Sikh pleaders and advocates and I think they are quite sufficient for that purpose. So the argument of the honourable Finance Member does not hold water for a second.

The other argument used by the Honourable Finance Member is this. He says that the public prosecutorship does not carry any high salaries and that even the worst practising pleader is much better than a public prosecutor. With due respect to his ability and experience I absolutely differ from him. If that is so, how is it that so many people hanker after that job? Not only do they seek it but they hanker after it. A fairly large number of pleaders and advocates from all over the province hanker after that job. They run after the deputy commissioners and sessions judges. This clearly shows that there are high profits and that there are bigger emoluments attached to the job than what the ordinary practitioners get. What is practice in these days? I know personally that many of the practitioners are starving on account of financial stringency, whereas people who have got these fixed jobs are enjoying stable income. They have also other avenues of income open to them. It is well known to honourable members that if a man becomes a public prosecutor, there are many ways in which he is benefitted. (*Interruption*). I do not imply corruption. Surely his relations, friends or brothers get engaged on the opposite side. I know in a certain district—I will not refer to personalities—there is a public prosecutor and his nephew, his uncle, his son and brother's son are also practising there. So whenever he appears in a particular case, the opposite side is always taken by one of his relatives. Is that a small profit? Is it not a thing to be considered? But when my friend asks for that post, you say it will give less income to the Sikh pleader who is otherwise making a great profit. The Honourable Finance Member has found fault with the figures which the leader of the Opposition has read out. Of course there may be some mistake in the figures because we have not got access to the records, but it should not be stated that we are twisting the figures and that we are giving misleading figures. Some time ago it was shown on the floor of the House that a Government officer gave wrong and misleading figures and they were read by the leader of the National Unionist Party to prove they were absolutely wrong. So the leader of the National Unionist Party cannot be found fault with if there is a slight mistake in his figures. On the other hand credit must be given to him for collecting those figures, hunting them out from outlying papers and obsolete books. But to twist the figures was far from his mind. To make mistakes is another thing but no member would deliberately twist the figures or give misleading figures. This may be characteristic of some of the members sitting on those very benches when it sometimes suits their purpose. With these remarks I beg to support the motion under discussion.

Sardar Buta Singh : Sir, I thank Chaudhri Chhotu Ram who gave a smashing reply to the Legal Remembrancer. I do not wish to advance any other arguments on the point, but there is one thing on which I would like to say a word. The charge has been laid against Chaudhri Chhotu Ram that he has twisted certain facts.

The Honourable Sir Henry Craik : On a point of personal explanation. I made no such charge. I merely stated that he used figures which were quoted by Mr. Sale for one purpose, to point another argument. My contention is that they did not support his argument but they supported Mr. Sale. I never for a moment suggested that my honourable friend, the leader of the Opposition, twisted the figures. There was no suggestion of unfairness. I suggested that he showed ingenuity in taking the figures which Mr. Sale gave for the purpose of illustrating one point and using them to illustrate a wholly different point.

Sardar Buta Singh : I do not say that actually this has been done. But I think the word "twist" means something which the Honourable Finance Member has stated. Now it has been suggested that great care has been taken in selecting the candidates for the post of public prosecutor. I have full belief in the integrity and honesty of purpose of the Finance Member as well as of the Legal Remembrancer. I have got no quarrel with them. But what is the result that we see? The facts and figures are quite clear. My cut relates to the Sikh zamindars. The words are absolutely clear. There is no ingenuity in them and I think my friends who supported me are perfectly justified in saying that there is absolutely no representation given to the Sikh zamindars. This very consolidated statement which my friend, the Finance Member, was holding up, clearly proves my contention. I do not find any post here given to a Sikh zamindar. There is a column here in the consolidated statement showing the number of members of notified Sikh agricultural tribes—column 5. There is a subdivision in it and I am only taking my stand on that and no argument has been advanced to prove that I am wrong. I do not want to take up any more time of the House but to say that I press my motion.

Mr. President : Question is—

That the grant be reduced by Re. 1 with respect to the item of Rs. 2,34,650—Total Pay of Officers.

The motion was lost.

The Council then adjourned till 2-30 p.m. on Friday, 17th March 1933.

PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Friday, 17th March 1933.

THE Council met at the Council Chamber at 2-30 p.m. of the clock. Mr. President in the chair.

ORDER OF BUSINESS.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member): Sir, a requisition was made by some honourable members that special time should be allotted for the discussion of the Bhakra Dam Project and the report of the Indebtedness Committee. I also received a further requisition from the honourable member from Lahore that time should be given for the discussion of the White Paper. I might inform the House that Government will be prepared to give time for discussion of the Bhakra Dam Project on the 27th after the Supplementary Demands, and for discussing the White Paper and the report of the Indebtedness Committee on the 28th March. We will take up the Stamp (Amendment) Bill on the 27th March. This will take a few minutes only, as it is merely a verbal amendment.

QUESTIONS.

Mian Nurullah: On a point of order, Sir, how is it that there are no questions to-day?

Mr. President: Is this a point of order?

GOVERNMENT'S DEMANDS FOR GRANTS.

ADMINISTRATION OF JUSTICE.

(Concluded).

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): Sir I beg to move—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 54,000—Pay of Officers of the Commission appointed under the Criminal Law (Amendment) Act, IV of 1930.

In moving this cut the only idea in my mind is to save the province from a huge expense that is being incurred on account of this Special Commission. I would not have moved this cut if it had not been the fact that the money being spent on this Commission is of no use. I find, and so does everybody, that this Commission is absolutely useless and uncalled for at this time. It should, therefore, be abolished. I cannot do better than read the *communiqué* issued by the Government of India on this very

[Ch. Allah Dad Khan.]

Commission. The following is the text of the *communiqué* issued by the Government announcing their reasons for abandoning the Delhi Conspiracy Case—

The Delhi Conspiracy Case was started under the provisions of the Criminal Procedure (Punjab Amendment) Act, 1930, on April 15, 1931. Fourteen accused were placed on trial before three Commissioners appointed under that Act, the offences alleged against them including conspiracy to commit murder and dacoity, manufacture of explosives and illegal possession of arms and explosives. The case has now been proceeding for more than 21 months.

The examination and cross-examination of the first witness extended over a period of seven months and up-to-date not half of the prosecution witnesses have been examined. The prospects of future progress have been carefully considered by the Chief Commissioner, Delhi, in consultation with those engaged in the prosecution, and it is estimated that with progress at the rate hitherto secured—and there is nothing to suggest that this can be accelerated—the hearing of the prosecution witnesses will not be completed in less than four years from the beginning of the case.

The accused will then have the right of further cross-examination and after that will enter on their defence. It is likely that the case will take in all five years from start to finish.

The expenditure involved is extremely heavy—

The Honourable Sir Henry Craik: On a point of order, Sir. The honourable member is reading a long extract from some document published by the Government of India which refers to an entirely different tribunal and not to the tribunal whose pay is provided in the budget. It is not paid from our provincial revenues.

Mr. President: What has the honourable member to say? He is reading a document which does not relate to the tribunal he is referring to.

Chaudhri Allah Dad Khan: It does relate to this very item, as the next sentence will show—

The Government of India after careful consideration of the facts are forced to the conclusion that the special procedure which was adopted in this case with a view to expedite its disposal has failed to secure that object.

This Act was intended to expedite the trial, and it has failed to do that. They cannot contemplate the allowing of a case of this nature to continue for another five years. Therefore they have decided that the special procedure should be abandoned. They have said that this Act was passed with a view to expedite the case and its trial, but it has utterly failed to achieve that object. This special Commission which is now sitting in the Punjab was also constituted in pursuance of that procedure, and when it has been discontinued at Delhi, there is no reason why the local Government which is a subordinate of the Government of India should continue this Commission when it has been found to be utterly useless and incapable of expediting the trial of such cases. When the Government of India have found that it is not a fit Commission to expedite the trial of the case why should the Punjab persist in continuing it? When the Government of India announced their decision in a similar case the Punjab Government should take a lesson from this and abolish the Commission in the Punjab. Just now the Government of India restored the cut in the case of its public servants, and they never said a word that Punjab Government should allow the same concession in the Punjab. But the Punjab Government

took advantage of that procedure adopted by the Government of India and restored the cut, and it was announced in this very House that it was done in obedience to the procedure followed by the Government of India, although there was a precedent for them inasmuch as that one Government had not followed the procedure followed by the Government of India. To me it appears that they adopt the precedents of the Government of India where they find it to their convenience and where it benefits certain individuals, but where it benefits the zamindars they are slow to adopt them. There is no reason why they should persist in continuing this Commission when a superior authority, which consists of better men and abler men and in which there are the pick of India, have decided to abandon it. The Government of India surely is a better judge of the expedition which is contemplated by this Commission than the Punjab Government. Besides, being a subordinate branch of the Government of India, the Punjab Government should not adopt the procedure which has been discarded by the Government of India. It was stated in this very House that the Punjab Government was not bound to follow the Government of India. Heavy and extraordinary expense has already been incurred by the Punjab Government for maintaining this Commission up to this time. Who is responsible for these charges? I think there may be some excuse even now for the gentleman who was responsible for this expenditure. He can say that he had no experience and had not gauged the situation which would arise, and was not aware what results the Commission would bring, but now when there is a definite view of a superior authority responsibility will be on the shoulders of those who maintain this Commission. When this Act was being considered here I submitted as follows in my speech in this very House—

“In loyalty and devotion, I yield place to none, but we are wise friends of Government.”

I am glad that in a short time, and that during the continuance of the present Council, my opinion has turned out to be right. Who is now right? After the *communiqué* of the Government of India, there is no doubt as to who has turned out to be right.

Even then, that advice was not adopted, and this Act was brought into operation. I said that time would come when it would become clear as to who was the better well-wisher of the Government: whether, we the non-official members in opposition or the officials were on the right. Now it is as clear as day that our opinion was right and that Government members were wrong in passing that Act. The Government of India have realized its mistake, they are wise men, and they are convinced that they were mistaken in adopting this law. But even now there is an opportunity for you to remedy, to stop, and to undo this wrong which has been done if you want to save the country from further expenses on this Commission. It would be an act of wisdom even now on your part to discontinue it as the poet says—

اس کو بہرہ نہ چاہئے کہنا—صبح جو جائے اور آئے شام

If a man returns in the evening after wandering about all day long, then he is not understood to be a mistaken man. Now, Sir, what is done is done; it cannot be recalled. All's well that ends well. So, I think that

[Oh. Allah Dad Khan.]

even at this stage my advice should be taken and this Commission should be discontinued. With these words I move my cut.

Mr. President : Motion is—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 54,000—Pay of Officers of the Commission appointed under the Criminal Law (Amendment) Act IV of 1930.

Khan Bahadur Sardar Habib Ullah : Sir, I do not wish to move my motion; but I will say a few words after hearing the Honourable the Finance Member's point of view.

Mr. President : If the honourable member does not move his cut, he will have no right to speak again on the motion.

Khan Bahadur Sardar Habib Ullah : Sir, I want to listen to what the Honourable the Finance Member has got to say on this motion. I have no intention to move my cut. I would like to hear the Honourable the Finance Member and afterwards say a few words, if necessary.

The Honourable Sir Henry Craik (Finance Member): Sir, the honourable member who has moved this cut has, as usual, congratulated himself on his own rectitude, I have noticed that it is a growing habit of the honourable member to think that he is always right and that everybody else is wrong. On this particular motion he has said that he, who opposed the passage of the Act setting up this Commission was in the right, and I, who introduced that Bill, was in the wrong. I should like to remind the honourable member that this is an argument that cuts both ways. The Bill was passed not by me, but by this Council as a whole, and to the best of my recollection, it was passed with very little opposition. If there I stand in the dock for having introduced that foolish measure, the majority of this House stands beside me. The House cannot escape from its responsibility for that Act.

Now, the only argument the honourable member produced in support of his contention was the decision of the Government of India to abandon the procedure of trial by a tribunal in the Delhi case, and he apparently infers from that that we must follow that lead and abandon the trial of an entirely different case, standing at a very different stage, which is now in progress in Lahore. In the Delhi case, I understand, only about 100 witnesses out of 640 have been examined, that is to say, about one-sixth of the case has been completed. In the Lahore case, the prosecution has been completed, and charges have been framed against 22 persons. Many of these charges are of a very serious nature, such as murder, abetment of murder, attempt to murder, dacoity, house-breaking, and so on; and various offences under the Explosives Act and under the Arms Act. Now, I do not quite follow what the honourable member's proposal is beyond that the tribunal should be abolished and the law passed by this House should be set at naught. What exactly is to be done with those 22 persons against whom charges have been framed for these serious crimes? He has left that question entirely in the air. I am afraid it is quite impossible to accept his proposal at this stage. The trial, that has undoubtedly lasted longer

than we expected, is drawing to a close. The prosecution evidence has all been recorded, and in the case of certain number of persons a final decision, that is, a discharge has been recorded, while against others charges have been framed. The re-cross-examination of certain witnesses is now in progress, and it is hoped that within 4 or 5 months the case, which is of an extremely complicated nature, involving a large number of persons in a far-reaching conspiracy will be concluded. I cannot of course give an accurate forecast, as it is impossible to say how many witnesses are to be called for the defence, but I certainly think that 6 months from now at the latest should see the conclusion of this long-drawn out case.

Now, Sir, we have to consider what would have happened if the tribunal procedure had not been in force. There would have been commitment proceedings before a magistrate followed by a trial in a court of sessions. These proceedings would have been much longer than the trial by a tribunal is likely to take. I think it will be within the recollection of the House that in the previous conspiracy case in which the notorious Bhagat Singh and others were involved, there was a very long commitment proceedings before a magistrate which ultimately came to nothing at all. The magistrate was unable to proceed with his enquiry under the ordinary law, and ultimately a special tribunal of a different nature had to be constituted to try those offences without any commitment proceedings at all, and the whole of the period spent before the magistrate on the commitment proceedings was time wasted altogether. That at any rate, has been saved in the present case, and the decision of the tribunal, as now constituted, will be a final decision, subject of course to an appeal. At any rate the trouble and expense and danger involved by having to be examined first by a court of a magistrate and then in the sessions' court has been saved. I cannot attempt to deny that the progress of the tribunal has been disappointingly slow, but I wish to avoid, so far as I can, any comment because the case is still *sub judice*. I do not think that it is a fair complaint that the members of the tribunal are not doing their duty. There are, as all honourable members are aware, other reasons which lead to delay in the disposal of cases, which are not under the control of the presiding judges, and I have no reason to think that the judges who form this tribunal are not doing their very best to expedite the decision of the case. I do not want to say anything more about this. I hope the House will agree with me that the motion of the honourable member to abolish this Commission at this stage is altogether impracticable.

Khan Bahadur Sardar Habib Ullah : Sir, I want to say a few words.

Mr. President : When I called the honourable member to move his motion, he did not like to speak.

Khan Bahadur Sardar Habib Ullah : Sir, it was not that I did not like to speak. I wanted to hear first the Government's point of view, and if there would be any necessity of giving my views on the point, I will speak, otherwise there was no need of wasting the time of the House.

Mr. President : Does the honourable member consider it necessary to give a reply to the Honourable the Finance Member ?

Khan Bahadur Sardar Habib Ullah : After hearing the Honourable the Finance Member, I think I should say a few words in connection with the motion now under consideration.

The Honourable Captain Sardar Sir Sikander Hyat Khan : It is rather an important point. In the debate on a motion for a cut, the convention of this House hitherto has been that the Government member has the last say in the debate so as to give him an opportunity of explaining the various points raised during the course of the discussion.

The Honourable Sir Henry Craik : May I take it that after the honourable member I shall have a right of reply.

Mr. President : If the honourable mover replies, but not otherwise.

The Honourable Sardar Sir Sikander Hyat Khan : You called upon the honourable member to move his motion, but he refused to do so, and now he is pressing for permission to speak on the same motion.

Rao Bahadur Chaudhri Chhotu Ram : Another member of Government can give a reply to his arguments.

The Honourable Sir Henry Craik : It is a point of some importance, Sir. The member in charge of a department has to reply to all the criticisms advanced by honourable members opposite. Sometimes he has to confront about 20 or 30 speakers of the other side, and it is not fair that he should be compelled to speak earlier in debate and other members should be allowed to speak after him and to develop their case. It is fair that he should hear what other members have to say in their criticisms of his department before he replies.

Khan Bahadur Sardar Habib Ullah : I only wanted to support the Honourable the Finance Member. If he does not like to hear me, it is up to him.

Mr. President : I allow the honourable member to speak.

Khan Bahadur Sardar Habib Ullah : When I sent notice of my cut motion my view was a little bit different from the view taken by the honourable member who moved this motion. I wanted to know from Government as a matter of information how this case stood at present. The House will remember even last year I raised this point and drew the attention of Government to the necessity of finishing the case soon, so as to save time and money and also to give justice as soon as possible. If a case comes before a court it is the duty of the court to give justice as early and as speedily as is needed. Now that I have heard from the Honourable the Finance Member that the case is going to take about four to six months more I think the only course to take under the circumstances is to let this case go on. Otherwise, if any other procedure is adopted it will be very difficult, and the aim which this part of the House has in view, namely, the saving of time and money, will not be met, because any other court, whether that of a sessions judge, as it happened in the case of the Delhi Conspiracy case, or of any other special magistrate will certainly take a longer time and that means more money and more time. Therefore, after hearing the Honourable the Finance Member that the case is going to take from four to six months I hope he will just instruct the Commission to do work as speedily as possible. That will, I hope, meet the object we have in mind. (*The Honourable the Finance Member :* I can only instruct the prosecution).

Chaudhri Allah Dad Khan : I will take only a few minutes of the precious time of the House. In the first place there ought to be no misrepresentation. I do not think it is the habit of the Honourable the Finance Member to misstate facts.

Mr. President : The honourable member is requested not to be personal.

Chaudhri Allah Dad Khan : I am eager to see that no speech reflects on personalities. I never meant that this is a blame attaching to the Honourable the Finance Member. If the blame attaches to him it also attaches to those members who supported him. I submitted on the floor of this House on that very day that the members who were supporting the Government then would one day regret their action, and I am afraid that day has come. My remarks made on that occasion were intended to cut both ways. Not only did they apply to the chief sponsor of the Bill, but also to the other members. So much about the preliminary point.

The Honourable the Finance Member said that this Commission would take five months more to dispose of the present case. You are aware that I have nowhere said that the Commission should be dissolved at once. My object was that whenever the Government find it convenient or possible, they should disband the Commission. And that of course was the natural conclusion to be drawn from my speech. I never said that the Commission should come to an abrupt close and that the accused should be discharged. That was never in my mind. But I contend that when this case ends, that is after five months, the Commission should be dissolved and other cases like the abetment cases need not be brought before the Commission, but tried by the ordinary courts. I may draw your attention to the attitude of the Government of India in this matter. They have nowhere said that they confined their attention to that case only. They said that the Act was intended to expedite the trial of cases of this type and no more. Otherwise they would have withdrawn that case and committed any other case to the Commission. But they abrogated the Act in the Delhi province at once and dissolved the Commission. There is therefore no doubt about the interpretation and the implication of the words of the Government of India. There is no getting away from the words of the notification by means of such excuses as have been put on the floor of the House. If the honourable members have got a reward for supporting that procedure at that time, will they not get a reward again if they vote against my motion on this occasion? It will go abroad that the motion was defeated by this House. Where is the question of blame on certain individuals or on any officer of Government? Even on the last occasion I suggested that honourable members should consider the position very carefully for they were doing a great act the effects of which would perhaps be disastrous in course of time. But those words of mine were not taken seriously then. They obviously fell on deaf ears. I trust that my words on this motion would not meet with the same fate. As the Honourable the Finance Member has given us the assurance that the Commission would come to a close after five months and I hope he has further assured us that no other case would be committed to this Commission, I will not press this motion. If the assurance is given

[Ch. Allah Dad Khan.]

I shall withdraw the motion. With these words I shall leave it to the Honourable the Finance Member not to influence me to press the motion to a division.

The Honourable Sir Henry Craik : It is impossible for me to give an assurance that the case will be completed within any specific time. But the honourable member spoke of the tribunal being discontinued in his motion, and I take that to mean that he urged its abolition.

Chaudhri Allah Dad Khan : No. It will be seen from my motion that I have specified no time.

Mr. President : The honourable member is aware, I presume, that the budget under discussion is to come into force from the 1st April 1938, and that his motion for reducing Re. 1 relates to an item in that budget. There is nothing to show that he did not intend to have the tribunal discontinued from the 1st of April. His motion, as worded, means that the tribunal should be discontinued from the operation of the budget.

Chaudhri Allah Dad Khan : I agree that the motion does mean that, but when I gave notice of it I did not have the fact before me that the case before the Commission would take six months only. Moreover, in my speech moving the motion I never said that it was my idea that the tribunal should be abolished forthwith. I am amenable to all reasonable argument.

The Honourable Sir Henry Craik : I must repeat that I have not given any undertaking that the trial will be completed by any particular day. That, obviously, is not within my power. All I have said is that so far as I am able to form an estimate on such material as is available my estimate is that the trial should be completed within about six months from now. I omitted to mention, while speaking before, that the same tribunal has disposed of another case of some importance which was known as the Zira bomb case. (*Chaudhri Allah Dad Khan :* How is that relevant ?) The honourable member expressed the hope that when this particular trial was finished no further trials should be sent to this tribunal, and I think he expressly said that he hoped that abetment cases would not be tried by them. There are, as far as I am aware, no separate abetment cases, and it is certainly not the intention of Government to give this particular tribunal any further cases to try, nor, so far as I am aware at the moment, is it the intention of Government to use this particular procedure for future trials. I cannot give a more definite pledge to that effect. I admit that we have been disappointed at the length of time occupied by this trial, and it is not our present intention to use this form of procedure again when this particular trial is concluded.

Mr. President : Question is—

That the grant be reduced by Re. 1 with respect to the item of Rs. 54,000—Pay of officers of the Commission appointed under the Criminal Law (Amendment) Act, IV of 1930.

The motion was lost.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, Non-Muhammadan, Rural): I beg to move—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 12,51,400,—Total subordinate judges.

The object of this motion is indicated in the note appended to the notice of the motion. It is to condemn the meagre representation which Hindu agriculturists find in the cadre of subordinate judges. And I hope that if, with reference to figures and the pace of recruitment during the last six years, I am able to convince the House that gross injustice has been done to Hindu agriculturists, all sections of the House including Hindus, Muslims and Sikhs will vote for this motion. If my arguments and figures are not of a character which should convince the House of the justice of my motion then, of course, I am not entitled to their support. I hope that by means of the figures that I shall quote of the slow progress or absolute lack of progress that has occurred in the recruitment of Hindu zamindars it will be possible for me to convince the House that I have a good case, and am entitled to the support of every section of the House.

We had yesterday a motion of the present character which had reference to the High Court establishment. A fairly good case was made out by the honourable member who represents Sheikhpura. But the position of the Government was that, so far as the recruitment to the High Court establishment was concerned, Government had absolutely nothing to do with it, and that the recruitment to that branch of service rested entirely with the High Court judges.

Fortunately, to-day we have a motion which relates to the recruitment of a service about which Government has a definite legal responsibility. It is true that recommendations are made in the ordinary course of business by the High Court itself, but the last word rests with the Government, and therefore formal and legal responsibility for recruitment to this particular branch of the service rests entirely with the Government itself.

I will first draw the attention of the House to the figures which are given in the latest Consolidated List. A glance at page 1 of this Consolidated List will show that the total number of subordinate judges is 160. Out of this number Hindus have a share of 72. Out of this share of 72, Hindu zamindars have a share of only 5 posts. Yesterday there was some controversy as to the quarter from which the deficiency in the share of Sikh zamindars should come, whether it was to come out of the share which was being enjoyed by the Muslims or out of the share which was being enjoyed by the Hindus. Fortunately so far as to-day's motion is concerned, the figures are quite clear. Muslims do not enjoy a share which is either in excess of or even equal to the share which they may be regarded as being entitled to either on the basis of their population or on the basis of educated youngmen in their ranks. It is about 36 per cent. The Sikhs have a share of 15.6 per cent. So far as I know the ordinary rule is to allot a share between 17 and 20 per cent. to Sikhs, and, generally speaking, a share of 50 per cent. to Muslims. Therefore, there can be no dispute as to the fact that any share that we can get as Hindu zamindars will come out of the Hindu share. No share that ought to have come in the ordinary course of affairs to Hindu zamindars has been usurped either by the Muslims or by the Sikhs.

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Taking the zamindars as a whole we find that their representation, including Sikhs, Hindus and Muslims, is only 32·5 per cent. Therefore the zamindar class as a whole has not received the share which it may expect either on the basis of its population or on the basis of the contributions which this class makes to the exchequer or on the basis of its importance.

Now I will draw your attention to another relevant factor. That relevant factor is that in 1927 the number of Hindu zamindars among subordinate judges was 5. After that, recruitment has taken place in 1928, 1929, 1930, 1931, 1932 and 1933. The number of subordinate judges recruited from 1928 onwards is 71, that is, 16, 11, 11, 11, 11 and 11, respectively, for these six years. And the House will be surprised to find that in these six years and out of these 71 posts, Hindu zamindars have not received even one post. I may also make one more point clear. The figures that were quoted in the original Consolidated List which was issued on the 1st January 1927 were wrong. There the share of Hindu zamindars was shown as either 2 or 3, but a census was taken later on by the High Court and it was found that a mistake had been made in calculation and the number of Hindu zamindars among subordinate judges was shown wrongly as 2 or 3. I remember even the names of Hindu zamindars who were subordinate judges in 1927, and in that service there has been no addition during the last six years. Let there be no misgiving or misapprehension on that score.

Now the list from which I have quoted the figures of the last seven years was given to me by the Chief Secretary. I am very much obliged to him for the courtesy in supplying to me a copy of an answer to a question which was put by me. He was further pleased to take me into his confidence and said that when this debate came on he had something to say on the subject which would make me jump. I thought probably he would say something which would make me jump with joy, but on further reflection I thought that perhaps that might be too good to be true, and I asked him if he was going to say something which would make me jump with joy. He said in reply that he had nothing to say which would make me jump with joy, but something which would make me jump with something else. I have still to hear what that particular statement would be. But before he says anything I would not make an attempt to anticipate his remarks. However, there is just one thing which I should like the Chief Secretary to bear in mind. It is quite easy for an officer of Government to stand up and take shelter behind the existing rules and the supposed policy which has been followed by Government. What I really wish, and what I would earnestly request, the members of Government is that they should try to enter into the feelings of the classes to whose interests I am trying to draw their attention. They ought to do their best to appreciate our point of view, to sympathise with us, and if they can do anything by any reasonable method, by any change in the existing rules or in the existing policy, they should not hesitate to do it. They can always quote rules and quote policies in order to defeat the object which I have in view in making this motion. But what, after all, are these rules and these technicalities? These technicalities and these rules and these policies are meant to serve a certain definite purpose, and if they either fail in serving that purpose or lead to results

which are unjust and undesirable then Government should not follow such rules or technicalities or policies. It is the clear duty of Government to change a policy if it finds that that policy has yielded results which are opposed to its original intentions, or if that policy results in gross injustice to any appreciable section of the Punjab population. I beg to submit that the figures that I have given and the fact that during the last six years Hindu zamindars who number over three millions in the province have not been able to secure a single post, point to a very sad state of things—a state of things which should lead Government members to devote their earnest attention to the causes which account for this unfortunate result and for this anomalous position. It cannot be suggested that Hindu zamindars form a class which are either negligible in numbers or negligible in importance. Government has allowed the Sikhs to be treated as a definite separate unit. They are thirty lakhs in number. The number of Hindu zamindars is approximately the same, and, for reasons which apply with greater force in the case of Hindu zamindars, they should be recognised as a separate unit of Hindus. Government has also treated the Muslims as a separate unit. Government was fully conscious of the fact that on account of the educational backwardness of Sikhs and Muslims they were not in a position to compete successfully with the Hindus. In order not to exclude these important classes from a due share in the services under Government it was decided by Government—and very wisely and justly decided—that a certain share should be set apart for them because if they had been left to the test of competition, they would not have been able to get anything like a fair share. But the result of this policy has been to pit the poor Hindu zamindars against the most advanced section of the Punjab population. The Hindu zamindars are more backward educationally than Muslim zamindars; they are more backward educationally than Sikh zamindars, and yet even in the case of Muslims and Sikhs, Government found itself compelled to make a distinction in favour of Muslims and Sikhs on account of educational backwardness. If that policy is good then that policy, that formula should be applied in the case of Hindu zamindars with greater readiness even than it had been done in the case of Muslims and Sikhs.

I may also draw the attention of Government to the claims which Hindu zamindars have upon its sympathy. They rendered very valuable services during the War. I know well enough that the 6th Jats Light Infantry was practically wiped out of existence four times in France, and yet each time Jats in the south-eastern Punjab were able to bring the regiment up to its full strength within a very short time. Similarly the 41st Dogras suffered tremendous casualties, and the Dogras rose to the full height of the occasion and repaired all the damages that had been suffered by their class regiment. The 7th Rajputs also suffered very heavily, and all the losses were made good by Rajputs just as readily and quickly as was done by Jats and Dogras. That is a record of service which Government should never forget. After all it is not so very long ago that the Government was in the grip of a great war. In those times the Government looked to zamindars; but in the piping days of peace Government listens not to the wailings of the zamindars, but to the agitation of the Press. It bows before the clamour of the Press, but does not listen to the legitimate grievances of zamindar classes. You may shake your head, but I am sure that the results to which

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I have drawn the attention of Government members clearly shows that these results could not be due to anything but sheer apathy on the part of Government. How else could the Government have ignored the claims of Hindu zamindars for six long years? I refuse to believe that there was not available a single Hindu zamindar who was fit enough to be appointed a subordinate judge from 1928 to 1933. That is an unfortunate result, and it is the direct consequence of a policy of indifference and lack of sympathy which has been followed by the Government during all these years.

The Honourable Dr. Gokul Chand Narang : Does the honourable member mean by zamindars statutory zamindars?

Rao Bahadur Chaudhri Chhotu Ram : I always mean by the word zamindars statutory zamindars. There are no other zamindars in existence. (*Laughter*). There is, however, one zamindar in this House who belongs to a category different from that of statutory zamindars. He is Diwan Bahadur Raja Narendra Nath. He is a big zamindar in the sense that he owns land perhaps larger in area than that owned by all the statutory agriculturists on these two benches put together. (*Interruption*). But look at his mentality. Has he ever lent support to anything calculated to do good to Hindu, Muslim or Sikh zamindars? (*An honourable member :* Yes, when he advocated the reduction of *abiana*). That was just once. But, on the contrary, I remember well that many motions were made in this House asking Government to make a reduction in water rates, to allow zamindars some of the concessions enjoyed by income-tax payers. The position which he took on all these occasions was "where is the money to come from to carry on the administration of the province?" It was only once that he lent support to a motion in favour of the remission of water rates. (*An honourable member :* It is but reasonable). On all other occasions when the zamindars made an attempt to secure some relief either in taxation or in other directions, Raja Sahib always came forward with his remark that the thing was impracticable. He always used to preface his remarks by saying that the zamindars had his full sympathy, but the proposal was impracticable and should not therefore be adopted. I can only look upon observations of that character as a cloak and nothing else. That is the mentality which is characteristic of zamindars in the sense of the word in which Dr. Gokul Chand Narang would have zamindars to be understood. But statutory agriculturists are of a different type of mentality.

Another thing which makes me very sad is not only the attitude of my non-zamindar Hindu brethren in the House, but also their attitude in the Press. There is still another factor which gives me cause not only for complaint but great sorrow. The temple of justice in which we seek entrance is presided over by a Hindu deity. The chief priest there is a Hindu, and yet he would seem to say that Hindu zamindars are untouchables, and that they have no right to enter that temple. There is sympathy even for the admission of untouchable Hindus into that sacred temple at Guruvayoor.

Mr. President : Will the honourable member please avoid discussing personalities? It is a well-recognised principle of Parliamentary debate that, if possible, personalities should not be brought in.

Rao Bahadur Chaudhri Chhotu Ram : I am referring to a gentleman not in his personal capacity, but in his capacity of a public officer who is vested with certain powers.

Mr. President: Is he a Hindu in his personal capacity or official capacity ? (*Laughter*).

Rao Bahadur Chaudhri Chhotu Ram : I am referring to his official capacity, although in spite of that official capacity he does not cease to be a Hindu. He is a Hindu by birth, and I think I have a right to expect that he ought to exhibit a little more sympathy for his zamindar brethren of the same persuasion in the matter of accommodating them in the subordinate judiciary. But if you rule these observations as out of order, I shall refrain from pursuing them any further.

I was just making a reference to the tendency on the part of Government officers to quote rules and to refer the House to technicalities which make Government and its officers helpless in the matter. It is possible that something of that kind may be suggested again to-day. But before that plea is actually made by the Chief Secretary I should like to draw his attention to one factor which is of some consequence, and which I should like him to know before he rises and makes his speech. He may say something like this : " We have divided the whole Punjab population into three sections, Hindus, Muslims and Sikhs, and further Government also recognises the distinction between zamindars and non-zamindars. Along with these distinctions an attempt is being made to have recognised another class or another unit for differential treatment in order to secure to it increased employment in Government service. We regret we are unable to concede that there should be a further sub-division of Hindus into agriculturists and non-agriculturists." But as I suggested yesterday this division already exists. Relevant to this question there is another factor to which I should like to draw his attention. The Government has recognised about 400 judicial officers as a separate and independent unit for which a share of about 20 per cent., I understand, has been reserved. Persons among candidates who are related to judicial officers are always favoured when the question of selection and recruitment arises. I am referring to the information which the Chief Secretary so kindly supplied me with regard to candidates who have been selected in the last six years and who happen to be related to judicial officers. The figures he gave are as follows. In 1928 and 1929 the answer says ' Nil so far as it is known.' I look with some suspicion upon this saving expression ' so far as it is known.'

Mr. C. C. Garbett : May I explain my meaning ? What I meant was that no one was appointed because he was a relation of any judicial officer. We cannot say that some of the persons who passed the examination and who were appointed were or were not related to the judicial officers. But none of these officers were appointed because of their relationship.

Rao Bahadur Chaudhri Chhotu Ram : From the explanation that has been given so kindly by the Chief Secretary I understand that the words ' so far as it is known ' mean that no candidate was appointed as a subordinate judge on the ground that he was related to a judicial officer. Among the candidates actually selected for appointment there may have been persons who were related to judicial officers, but their selection did not rest

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upon their relationship to any judicial officer. If there had been any further information available on this point as to how many marks had been secured by the gentlemen who may have happened to be related to judicial officers and whether they were entitled to appointment on the basis of marks which had been secured by them, it would have made things more clear. However, for purposes of my argument I will not proceed upon the assumption that they had secured fewer marks than the other candidates who had not been selected for appointment. But when I come to the next year—1930—I find that two persons related to judicial officers were recruited as sub-judges because they were related to them, not on the ground of merit, but on the ground that apart from having passed the qualifying test they had the further qualification of being related to judicial officers. Similarly in the year 1931 there were two other candidates who were selected on exactly the same grounds. In 1932 there was one candidate selected specifically on this ground. Now, I wish to draw the attention of the House to the place which these gentlemen had secured as a result of the competitive test. In 1930 one such candidate was preferred to seven others who had obtained higher marks than this gentleman. In the same year another candidate was selected on the ground of his relationship to a judicial officer in spite of the astounding fact that 59 other candidates had secured higher marks than that fortunate relation of a judicial officer. In 1931 in one case one such candidate was selected for appointment in preference to two others who had secured higher marks. In the other case, on similar grounds another candidate was selected in spite of the fact that seven candidates with higher marks had to be passed over in his favour. Lastly, in 1932 the candidate who was appointed subordinate judge on the ground of his having that sacred relationship to a judicial officer was allowed to pass over 20 candidates who had secured higher marks. This is the policy which the Government has allowed to be followed, and this is a policy which I strongly resent. The new system of a vaunted competitive or semi-competitive test is a farce, it is a fraud. After these facts, who can say that considerations of merit count in the least? Where is the question of efficiency in all this jobbery? Where do the considerations of efficiency and merit go when you come to the recruitment of candidates who are related to judicial officers? After all, who are these judicial officers? They do not belong to a backward class, they are not backward educationally, they are not backward economically, they are not backward politically. Out of these five candidates who were related to judicial officers and who were appointed subordinate judges during these three years, four are related to Hindus other than statutory agriculturists. Can anybody suggest that non-agriculturist Hindus are under-represented in the services? Can anybody suggest that non-zamindar Hindus are backward educationally? Is this not the old policy of "to him that hath more shall be given and from him that hath not shall be taken away even the little that he hath?" Can the Government justify this policy? The fact is that when this policy is put forward by the honourable judges of the High Court, the Government meekly and quietly acquiesces in it. Government cannot absolve itself from its responsibility for the dangerous consequences of such a policy, consequences which are prejudicial to merit, consequences which are prejudicial to the efficiency of the services and consequences which are prejudicial to the interests of other classes which are

meagrely represented in the services and which have an equal right to be represented in those services.

Now it may be contended that it does not matter who is appointed to the post of a subordinate judge ; after all they are there as Government servants and as Government servants they are expected to administer law impartially, honestly, fairly and justly. But that is only an ideal. That should be the ideal which ought to be followed by everybody ; and I have no reason to believe that this ideal is really disregarded by any very appreciable proportion of Government officers. But you have also to take into consideration the further fact whether the population as a whole which belongs to litigant classes will have the same confidence in a non-agriculturist as it would have in an agriculturist. That is a psychological factor which cannot be ignored. I admit, at least I shall proceed on the assumption, that every judicial officer is fair-minded, that he administers the law as he finds it, and that he is not in any way dishonest in administering justice. But, as I stated two years ago, there are cases where the judges have a discretion. There are a large number of cases which are on the border line, where one cannot decide for certain that a particular decision is the right decision and the only right decision. They are border cases, where decision given one way or the other will be considered as equally fair and just. It is in the class of cases where discretion comes into play and in the class of cases which lie on the border line that a great difference is bound to be made by the fact of the class to which a particular officer belongs. I will give you instances where such a difference has been made to the utter ruin of agriculturists and to the advantage and benefit of creditor classes. There was one case in which a widow with six minor sons and four minor daughters was left behind by a deceased agriculturist who owned 340 bighas of *nakri* land. In the course of execution proceedings the tahsildar made a report that land was the only and exclusive source of livelihood to this family of 11 persons, and that a portion of this land should be set apart for their livelihood and the rest alienated temporarily. The report went to the court, and the decree-holder naturally stated that he was not going to have only a portion of the land alienated to him. The court at once ordered the papers to be sent back : " The decree-holder does not agree, and the collector should submit a statement of the income that is derivable from this land." The report came back again to the senior sub-judge or whoever he was, and the court, in spite of the fact that it had a discretion to reserve a certain portion of the land and not allow the whole of it to be attached, agreed to the proposal or the wishes of the decree-holder that the whole of the land should be attached in satisfaction of the decree for the maximum period of twenty years. Now this was a case in which the court had a discretion either to order the whole of the land of the debtor to be alienated or to leave a portion of the land unalienated for the subsistence of the family of the debtor. But the discretion was used with disastrous results to a whole family of agriculturists among whom there was not a single adult male member. Even in the form prescribed for temporary alienation of land there is a definite column in which an entry must be made as to what are the sources on which the family has to depend for its livelihood and how much land will be necessary for the livelihood of the debtor's family. In spite of this column, in spite of the directions, in spite of the standing order of the Financial Commissioner that a certain portion

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of the land of a debtor must be saved from attachment proceedings, courts proceed to attach whole holdings of judgment debtors, and yet it is suggested that no zamindar belonging to this House should raise the question of zamindar *versus* non-zamindar in services, particularly the judicial service which should be regarded as sacrosanct. While I have every possible regard for judicial forms and judicial practices, I cannot ignore the fact that there is a widespread feeling among the debtor classes, among the agricultural classes, that the subordinate judiciary is not entirely free from the taint of unfairness and even if it be conceded, as in formal discussions it is the practice to concede as a mark of good taste, that every officer is an honest officer, there is a large proportion of cases where this factor of discretion comes in, and where discretion can be used either way without any consciousness of injustice. In such cases natural sympathies decide the issue. After all, if there is a case in which I feel I can give judgment in favour of A or in favour of B with equal justice, my natural sympathies are bound to act as a ruling factor. No human being can resist the operation of this natural factor, and, therefore, I beg to submit with all the emphasis I can command that in recruiting the judicial section of your service, regard must be had to these considerations. I have drawn the attention of this House and through this House of all the Government officers concerned to this serious question with some warmth. I hope they will not regard my earnest plea for the increased employment of Hindu zamindars in this branch of the service as a kind of obsession with me as is the cynical practice of my non-zamindar Hindu brethren to do. It is a matter of grave consequence to the Hindu zamindars of the Punjab, and let me tell this House that the feeling is very sore. The Hindu zamindars feel that they are really helpless. They are a very poor class of people. They are disorganised. They are not properly trained for political agitation. Apart from the operation of these handicaps their hopelessly meagre representation in services is ascribed by them to the entire lack of sympathy on the part of the Government. I cannot satisfy them. I have tried to argue out with them the point of view of the Government, and they say that whenever the Government wants to do anything, it does find a way to do it, and that if it pleads its helplessness to procure due representation of Hindu zamindars among the subordinate judges the only real and true cause is that Government does not feel a sufficiently strong concern for their welfare. I make an earnest appeal to the members of Government to try to understand this point of view. After all it is a matter of daily experience in every section of the population that the Government does really find a way when it has an inclination to find it, and Government should not plead helplessness in respect of the recruitment of a section of the service where the final responsibility really rests with it. I hope that the Government will not raise any objections to this motion, and that all sections of the House will support it.

Mr. President : Motion moved—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 12,51, 400—Total Subordinate Judges.

Khan Bahadur Mian Ahmad Yar Khan Daultana (Muhammadan Landholders) : Sir, I stand up to strongly support the motion moved by

my honourable Leader. After the masterly survey of the situation by the Leader, I find it very difficult to speak on this subject any further. While I warmly admire the discipline of my Hindu zamindar friends on my left, I sincerely sympathise with them for they are unable to speak on this important motion against their wishes. (*Interruption*). Before I made up my mind to speak on this motion, I enquired from them and they told me that they were helpless in the matter. My friend, Rai Bahadur Lala Sewak Ram requests me to recite a verse before I proceed with my speech. Before I come to the subject proper, I quote a verse which will very clearly depict the condition of my poor zamindar brethren on the benches to my left.

یہ دستور زبان ہندی ہے کیسا تیری محفل میں

یہاں تو بات کرنے کو توسلی ہے زبان میری

“ In thy party they have imposed restriction of speech ; while I am dying to find expression for my feelings.”

Now, Sir, in these unfortunate days, in the atmosphere of separation, one is not expected to speak something about the interests of another community. But my creed from the very beginning, however my able friends may pretend to misunderstand it, is the creed of humanity and the creed of human brotherhood, and besides this with the non-Muslim agriculturists I have got a very strong connecting link, the strongest connecting link in politics, and that is the link of economic interests. The honourable mover of this cut has made it clear beyond doubt that the representation of my zamindar brethren in the share that has gone to the Hindus is really very meagre and unjust, and if I were to quote a very famous sentence I would say that the share of the non-zamindars in this service is in such a preponderance which is to the exclusion of the zamindar non-Muslims.

I feel it my duty to say that in the services wherever you find zamindars as officers, they command greater confidence of those with whom they have to work because they can appreciate their difficulties. In the interests of the integrity of the Government services and in the name of justice I appeal to Government to give to my non-Muslim zamindar brethren their due share out of that which is allotted to the non-Muslims of this province in various services. The best test of a friend is not during the time of peace but during the time of war, and facts can very well show who were found wanting or who did what was expected to be done, and in some cases more than it could be expected. I think that Government cannot claim the credit of being called a prudent Government which during the time of peace forget the experiences of the time of war. I am sure there would have been half a dozen speeches even from these benches if the ban had not been imposed on them by that party. I really feel it very difficult to say anything after the able speech of my Leader. With these words I give my strongest support to the motion of the honourable Leader. (*Cheers*).

Mr. C. C. Garbett (Chief Secretary) : Before coming down to the main subject, I should like to, if I may, express my sensibility of the courtesy, the moderation and the eloquence with which this cut has been moved. If only for the word ‘condemn’ the word ‘regret’ had been substituted all

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of us on this side of the House would have been at one with the honourable member for the greater part of his speech. For myself, I feel not only gratitude but a considerable feeling of relief : something of the relief which I think must come to a general who for weeks past has been threatened with skirmishes, with outpost actions, with raids for information, and has been bombarded with questioning shells which have set up a regular smoke screen from which have spread a mist of misconceptions, misunderstandings, and at times almost mistrust (*hear, hear*). My honourable friend has been in the past able to choose his questions, which I have had to answer, with the skill of a practised artist who is able to use the side-lights, foot-lights and head-lights so as to throw into relief any desired portion of the figures on the stage. He has been able to focus attention on that portion which suited his purpose best leaving in shade and in darkness the facts which were on the side of Government. We members on these benches neither have the skill of the advocate nor is it our duty to try to make out a special case. We work with pure flood-lights and endeavour to illumine the whole picture. I appreciate the candidness and indeed the generosity of my honourable friend's references to myself and to the intricacy of the problem. In answering I fear I must take some little time of the House because I agree with him that the subject is not only an important one, but extremely difficult one, and will tax your patience, and ask you to follow with me the law and rules which he told me he would attack. His charge can be divided into two simple heads. In the first place he has said that he condemns the meagre representation of Hindu agriculturists on the bench. If he regrets that meagre representation there is no one on these benches who does not regret it too, and I may confess that for the past year and-a-half, ever since these sniping attacks have been launched by my honourable friend against me, I have time and again in consultation with the very best brains in the province endeavoured to devise some means within those rules, which, if I may borrow my honourable friend from Ambala's expression, have been described as damnable, whereby we can alleviate his trouble. But, Sir, there is also a second point to which he has referred, and that is the nomination by or rather the option of the nomination which has been given to the Honourable Judges of the High Court. Now when he quoted a private conversation on the floor of this House, I was a little surprised, but I do not really mind. It was with reference to this that I told him that I had something up my sleeve, because honestly if there is any one present in this House who appears to me to be responsible, I admit not directly, but indirectly but nonetheless definitely effectively for this very power which he has with such vehemence and such eloquence condemned, it is my honourable friend as I hope to show later on.

These then are the two charges which I have to meet. Now, Sir, the hands of Government are tied in two ways. There is one fetter of a general nature which fetters Government's hands always, that is the general rule of consistency. If I may put that down in very general and simple language it is that, where Government is concerned what is sauce for the goose is sauce for the gander. If we are to prepare a special dressing for the Hindu agriculturists, we must offer that same dressing to the Sikh agriculturists,

to the Muslim agriculturists and to the "other" agriculturists if they exist. That is a fetter which must be remembered and which must be pondered over very carefully. Whereas in a private life we may perhaps deal with each case entirely on its merits without respect to any other similar transaction which may come before us, yet in Government service every action that we take becomes a precedent, and we must go on from precedent to precedent. Therein consists half the art of Government. When a question comes up for decision the first thing to be looked at is the policy. The first question that is always asked is, has there been a precedent, what has been the policy of Government in such cases? If there is no precedent and no policy, and the case is entirely a new one, the case itself has to be looked on as one that will form a precedent for future similar cases. There my honourable friend will see the greatest difficulty of this question, and I have already confessed I have struggled with it again and again, and the reason why I have found no solution is that much as we would like to see the Hindu agriculturists better represented on the bench I have been unable to devise any scheme which would apply to them and would not apply without disastrous effects to the province as a whole. The second thing that binds us is law and for the law this House is responsible. I may possibly have misunderstood my honourable friend, but I rather fancy, I speak with great respect for so practised a lawyer, that he misunderstood the law on this point. The law is contained in section 22 of the Punjab Courts Act. That section contemplates three distinct processes in the appointment of any sub-judge or rather in the filling of any vacancy in the service which may have occurred. Government, it is true, appoints, but it can only appoint a person nominated by the High Court. This is very important. I may say that I have very learned legal advice supporting me on the point. The third process is the rules. These nominations have to be made according to rules. Government definitely has not the power to go outside the High Court nominations. When we come to these rules, this House has its share. Government, it is true, is responsible for these rules, but in framing these rules it has looked both to the expressed wishes of the Honourable Judges and to the policy adopted and accepted by this House. These rules have not been definitely enacted, but they have been expressed broadly to the House from time to time. There are four points in these rules. The first point is efficiency, and here we come to a rather difficult subject. Because undoubtedly the efficiency which we have accepted as our standard is not that maximum efficiency for which the eloquence of my honourable friend has pleaded but rather the minimum efficiency which, as he pointed out, we have to accept. What he said, unfortunately, what he said, again I say unfortunately, of the nominations of the Honourable Judges of the High Court, applies, had he only looked a little further or probed a little deeper, with equal force to zamindars. I think throughout his speech there were some misunderstandings of the position of zamindars. There I come to the second point. First, efficiency under the rules, the passing of a qualifying examination which to some extent is competitive, secondly, the zamindars have in the new recruitment 50 per cent. and the non-zamindars 50 per cent. It is true that at present we have not yet completely worked up to these percentages, but new recruitment is the only thing for which we can be responsible and in new recruitment we observe these percentages. As regards the eloquent speech of my honourable friend about the very great

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sacrifices of zamindars and the remarks that he made that we do not recognize them, I must say that that is not quite fair. We do recognize them. One instance came to my notice quite recently in which no less than 53 persons were passed over to provide a place for a zamindar.

Rao Bahadur Chaudhri Chhotu Ram : Was it among sub-judges ?

Mr. C. C. Garbett : Yes.

Rao Bahadur Chaudhri Chhotu Ram : Then it must be a non-Hindu.

Mr. C. C. Garbett : First, efficiency ; then, the zamindar class. The next thing we see to is that the proportion of communities be so kept that no one community has a preponderance over the others. No law has been laid down, no law binding the exact numbers which shall be recruited. But if you look at the names which have been accepted in the last few years you will find that, by and large, as many Muslims have been recruited as Hindus, about half as many Sikhs as either Muslims or Hindus, and about half as many "others" as Sikhs.

Then there is the fourth provision, namely, that to the High Court is apportioned about one in eleven of the appointments to go to their own nominees by nomination, provided always—and this is a point which my honourable friend probably did not know because he did not ask me and it has not yet come out—provided that the three previous conditions are not upset, that is to say, the High Court nominee must be a zamindar or a non-zamindar, if that is the pigeon-hole that has got to be filled, he must be of the community entitled to a vacancy, and he must have passed the examination, of course. My honourable friend waxed very eloquent against this system, and to everything that he said, the honourable judges would have, if they had been listening to him, readily assented. There is nothing which the honourable judges object to more than this system of what I might call compartmental selection, selection of candidates according to the compartment to which they belong. What they want is a fair field and no favour. They want open competition. They say this is a service in which you want the best brains. The test should be based on intellect, on open competition ; and if we will give them that, they do not want any nomination whatever. The whole question of recruitment to the services is an extremely difficult one. The standard, the best method of recruitment varies from time to time and has to be determined according to varying conditions. In my college days we looked to examination as the only test. But even then for the Egyptian Civil Service the method of selection was beginning to come in. That method of selection has grown in favour in England more and more, so that for all our great colonial services, the examination system has been entirely abandoned, and there we have resort to selection. Names are called for, the candidate's educational qualifications, his achievements in the field of sport, his personal characteristics, his health, all these things are considered by a board. The selected candidates are then sent for and have to face perhaps six or seven gentlemen of experience who put them questions. They then put the candidates in order of merit, and that is the end of their examination. In this country for a long time we have had some regard for selection and the system of nomination. We

have it in the provincial civil service, and that has been the great point of the honourable judges here. In the provincial civil service on the executive side—I have not the figures by me, but if I may quote from memory—I think 25 per cent. of the posts go to those who pass at the top, 25 to nomination, 37½ per cent. to promoted tahsildars and 12½ per cent. to ministerial candidates. That is a point on which I should very much like to know the real opinion of this House. Do honourable members really think that the time has come when all nomination should be abandoned? Do honourable members think we should take off our register C altogether and have no more direct appointments to any of the provincial civil service posts? Do they also think that in the competition for the provincial civil service we should have no posts set apart for ministerial candidates? That certainly is a point of view which the country may take up. In the past we have given effect to what we believe to be the average view of the House and of the people, and have reserved, not because we wanted patronage, for patronage is one of the most difficult things to exercise, but because we thought that it was the will of the House and of the people that their sons and their nephews who have for some reason or other been unable to fit themselves to pass the examination at the top and yet are qualified, as my honourable friend said, having passed the qualifying examination and who are likely to make good men should be nominated, so we have reserved the power of nominating them up to a certain proportion. Twenty per cent. of those who pass the sub-judges examination get in without any further question. The zamindars have to fit in to the pigeon-holes that are left by this 20 per cent. and by the rules. A portion of them are nominated, a very small proportion, about 20 per cent. That is the maximum to which they can go. These nominations usually are only one in eleven. That one in eleven, the honourable judges said, you cannot in fairness deny to us as long as you give posts in the provincial civil service to ministerial candidates and also exercise the right of nomination. The other day my honourable friend opposite, if he will forgive me saying so, reminded me somewhat of a boy who had been offered a sandwich. In the middle of it there was a nice piece of jam, but on either side a tough piece of crust. The boy wanted the jam. That was the power of selection of the order in which the budget should be put before the House. But the crust was that he was not to move any substantial cut. He wanted the jam but he did not want it so much that he could take the whole sandwich. In this case too it seems to me there is a very similar sandwich. Are you prepared to abolish all these special compartments? Will you give us on this side of the House the freedom of competitive examination? Are you prepared to suggest that the system of recruitment for the provincial civil service on the executive side is wrong? If it is right, then surely the principles which are followed in that must be followed in the other.

It is a poor thing to agree that a patient is ill and to offer no remedy. I have agreed with my honourable friend that we would, all of us, delight to see more Hindu agriculturists on the Bench. I have explained how intricate, how complicated, already is our system of recruitment. I have suggested that we on this side of the House are bound by precedent, and that whatever we do in the one case we must do in the other. I trust I have made it quite clear that the honourable judges themselves dislike the whole

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of this compartmental business. They agree with everything that my honourable friend has said against the policy. Only they say, and it seems to Government that they say it with all fairness, that if you have the appointment system at all, you must have it here also albeit only to just a small and limited extent. I have explained the inequalities which my honourable friend has exposed. The big jumps which some of their successful candidates have taken over persons who have obtained a high place at the examinations have also been mentioned. I have explained also that there has been no injustice done to zamindars as such. For every one non-zamindar there is one zamindar in the service, and I think that is a very generous recognition in a service which does require a high degree of education and which is essentially a literary service. My honourable friend has pointed out a difficulty, but has indicated no remedy. I now trust the honourable member will not press his cut. As I have expressed to him, we have very great sympathy with the principles underlying it. (Cheers).

Rao Bahadur Chaudhri Chhotu Ram : The Chief Secretary has appealed to me to be content with the sympathy which he has expressed in fairly generous terms. But after all, what does that sympathy mean? I want not good words, not sweet language, but mother's milk, a thing that will sustain me in life, a thing that will give me something to live upon. Simple words cannot satisfy me, and from the past experience of six years I can come to no conclusion other than this that while this lip sympathy has always been there nothing in the shape of concrete results has been achieved in spite of what the Chief Secretary has kindly told the House and in spite of the alleged past efforts which have been made by him, his predecessor and Government in general. He has pointed out certain difficulties which lie in the way. He has stated that the difficulties are so great that he cannot find a way out. He has tried his best to find means within the existing rules to give a fair share to Hindu zamindars, but he has failed. Well, there is no difference of opinion as to the actual results. They are so clear before our eyes. We only disagree as to the conclusions to be drawn from this state of things. The conclusion which I have drawn and other men who have real, practical sympathy with Hindu zamindars will draw, is quite different from that of the Chief Secretary. If the Chief Secretary finds that within the scope of the present rules he cannot find a way out, if he cannot give any share to Hindu zamindars, then the obvious course left open to him is to do away with those rules, introduce fresh changes, and revise the policy which has resulted in these unfortunate consequences. He says that if he were to make a further sub-division between Hindus and Hindus, a further sub-division between Muslims and Muslims and a similar further sub-division between Sikhs and Sikhs would have to be made. Well that is not a calamity by any means. This sub-division already exists in the columns of his Consolidated List. If there is a column dividing Hindus into agriculturists and non-agriculturists, dividing Muslims into agriculturists and non-agriculturists and dividing Sikhs in a similar way, there can be no meaning to it except this that even between these divisions some sort of regard has to be had to the representation which agriculturists and non-agriculturists enjoy under each of the bigger divisions. Even yesterday the honourable member Sardar Buta Singh

was complaining that out of the Sikh share, very little has gone to zamindars, in the cadre of public prosecutors. The same is the case in other services. And I have little doubt that every Sikh member in this House will welcome the decision of the Government to recognise this further sub-division formally. Let the Government not only recognise the further sub-division which already exists, but give effect to the spirit which underlies this further sub-division.

No Muslim will complain if Muslim zamindars are given a share of 60 or 70 per cent. and the Muslim non-zamindars a share of 40 per cent. or 80 per cent. Has any Muslim come forward and complained to Government that he does not want to see how the cause of agriculturists in regard to the recruitment of services is proceeding? Never. As a matter of fact the real reason why there has been no complaint on the part of the Muslim zamindars is that their share happens to be fairly assessed. You have never heard of Muslim zamindars complaining against Muslim non-zamindars, or of Muslim non-zamindars complaining against Muslim zamindars, because the shares happen to be fairly divided already. In the same way you will find that in some services the share which goes to Sikh zamindars is one with which they can rest satisfied, but in a number of other branches of the public service, we find that Sikh zamindars are hopelessly under-represented, and whenever a Sikh member of the Council casts a glance at the Consolidated List he is always reminded of the poor share that has been allotted to the Sikh zamindars as such. There have been complaints in the past and there will be louder complaints in the future until the share of Sikh zamindars approximates to the share which will go to them on the basis of their population and on the basis of their importance.

The Chief Secretary also made a reference to the difficulties created by section 22 of the Punjab Courts Act and by the rules that were framed by the Government in consultation with, and with the consent of, the High Court. So far as section 22 of the Punjab Courts Act is concerned, it gives the power of nomination to the High Court alone, and the business of the local Government consists only in making a selection out of the list of candidates submitted by the High Court. Government cannot go out of the list of candidates nominated by the High Court. That is the position created by section 22 of the Punjab Courts Act. This section has led to results the anomaly of which I have already pointed out. Well, if this section does not allow anything like a fair share to go to Hindu zamindars then this section should be changed. There is no reason why we should make a fetish of sections, whether of the Punjab Courts Act or of any other Act. If any particular section of the Punjab Courts Act is found to operate harshly—

Mr. C. C. Garbett: On a point of order, Sir. If I am right in my recollection you ordered last year that it is not fair to call honourable members of Government to account for action which they might take if the law were altered. My honourable friend is suggesting that the law should be altered, while we can only administer the law as it is.

Mr. President: I have more than once ruled from this chair that while the administrative action of a department is open to debate, the necessity for legislation and matters involving legislation cannot be discussed at the budget discussion. In 1928, following the Parliamentary practice, I ruled that Government and its officers can be criticised for their actions if they

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have administered wrongly or failed to administer the law in force, and that if it is intended that a new law should be passed or that the law and rules in force should be modified, amended or repealed, the proper course is to introduce a Bill or move a resolution. Soon after I ruled to the above effect, my attention was invited to the fact that my illustrious predecessors had always allowed discussion on matters relating to the necessity or change of legislation or rules. Upon this I went through the printed debates of the Council and was obliged to give the following ruling, which appears on page 561 of the Punjab Debates, volume XI, for the year 1928 :—

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, gentlemen, I shall be delighted if the House decides to follow the Parliamentary practice in preference to its own practice. Without the concurrence of the House I do not feel justified to go against a practice, which was established before my election to this chair.

Rao Bahadur Chaudhri Chhotu Ram : So far as the ruling is concerned, I am absolutely clear that it was given in deference to the expressed wishes of this House. The House stated that the conditions in England did not really suit our country, and, therefore, we must be allowed to evolve our own conventions and follow them. Therefore I am sure I am voicing the feelings of the whole House when I say that we should prefer on a point like this to have our own conventions and follow them rather than observe Parliamentary practice.

The Honourable Sir Henry Craik (Finance Member) : There is one point. I take it that even if by convention and practice an honourable member is permitted to suggest in the course of his speech that such and such a rule should be altered, you still rule out of order a cut with the express object of securing a change in the law. Would you not permit that ?

Mr. President : I wish I had that power.

The Honourable Dr. Gokul Chand Narang : Was it due to the fact that the Council was young and the President was rather in doubt ?

Mr. President : My honourable predecessors were very able and learned gentlemen.

Mr. S. L. Sale : May I point out another difficulty in reverting to the practice before 1928. Parliament is a sovereign body and can make its own laws. This House is a subordinate legislature and is dependent on the permission of the Governor-General to introduce legislation ; it is not within the power of Government to alter laws even if it wished to do so. Therefore it is manifestly unfair to criticise Government for any action which it is not within Government's power to correct.

Rao Bahadur Chaudhri Chhotu Ram : The opportunities of private members are still more restricted, and I think it is more reasonable to follow the practice that has grown up here than to fall back upon Parliamentary practice. When there are ampler opportunities available to the House for making laws and rules, then perhaps the House may change its mind and adopt a different convention, but for the present the ruling that was given by yourself in 1928 ought to be allowed to stand, and I may be allowed to proceed with my speech.

Mr. President : I think the matter has been sufficiently discussed. So, I shall now collect the sense of the House.

Chaudhri Allah Dad Khan : I submit that the question of the desirability of reverting to the Parliamentary practice should be considered on some other day.

Mr. President : It has been considered and discussed at some length.

Rao Bahadur Chaudhri Chhotu Ram : We do not like to depart from the convention which you yourself have allowed to grow.

Mr. C. C. Garbett : I should just like to offer one remark. The procedure which the honourable members are advocating seems to me like hitting below the belt or hitting a person in the dark. We have to follow the law as it exists and not as it ought to be.

Mr. President then took the sense of the House and found that most of the elected members were for the continuance of the present practice.

Rao Bahadur Chaudhri Chhotu Ram : I have already suggested that if section 22 of the Punjab Courts Act stands in the way of justice being done to Hindu zamindars, then the Government should take early steps to change that section. The Chief Secretary also made a reference to the existing rules which he thought were a great hindrance in the way of a definite share or even a decent share being allowed to Hindu zamindars. These rules were made by Government in 1927 or 1928 and they replaced the old rules. If these rules have been found to work a hardship on a fairly large section of the population of the province, let those rules be changed. The Chief Secretary also stated that I as a member of this House and this House generally were responsible for these rules and for that law. Of course, so far as the Punjab Courts Act is concerned, some previous Council must have passed it, and therefore this Council may be regarded as having succeeded to that responsibility. But so far as these rules are concerned, I have a very definite recollection that as soon as a copy of these rules was made available to me I made a strong protest to the then Chief Secretary. If Mr. Garbett makes a diligent search in his office he will find two or three very long letters which were written by me to his predecessor. I predicted at that time that the result of the operation of these rules would be entirely to eliminate the Hindu zamindars. I was told that if my pessimism turned out to be well-founded then those rules would be changed. As the operation of those rules has been found to be exactly what I anticipated I think I am justified in making an appeal to the Chief Secretary to change those rules.

The Chief Secretary also wanted to know the wishes of this House with regard to the changes in the system of recruitment of services, in general

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He asked whether this House would like the system of nomination being done away with in respect of the recruitment of services. That is a very large question, and I am not prepared to commit myself or my party to any views on the question. I do not like that the House should commit itself to any such proposal. Personally I feel that the time has not yet come to introduce a system of pure competition. In fact if I were given the choice, I would any day prefer the system that has been followed in the recruitment of the executive section of the provincial service to be followed for the recruitment of sub-judges also. The High Court judges probably keep themselves out of touch with the general public. These high judicial officers do not like to mix very freely with the general public lest their serenity may be disturbed by making themselves easily accessible to the public. They are not therefore in touch with the general feelings which exist in the province nor are they fully cognisant of the wishes and needs of this province. I am absolutely sure that in a purely competitive test only one class will man all the branches of the service, and that will not be an ideal state of things from the point of view of the Government or from the point of view of the High Court or from the point of view of the province as a whole. After all, what is a purely intellectual test? And can you really depend upon the results that are yielded by a competitive test. At best it is a test of only the intellect and intellect is not the only factor which counts in matters of efficiency or in the standard of integrity that is expected of all the servants of the Government. I have seen many persons in Government service, pale, puny and sickly-looking with no personality about them who succeeded as a result of a competitive test, and yet I am absolutely sure that if they were recruited to the police department they would not make even good head-constables or sub-inspectors. If you were to depend upon the result of a competitive test there would be no end to unhealthy and sickly-looking people coming out at the top. What I really wish is that all the qualities which go to make a good efficient public servant ought to be found in a candidate. Further I doubt whether a competitive examination is a proper test of even the actual mental calibre of candidates. The marks obtained at an examination are the result of so many factors. One man may be very rich and may go to Simla and spend three or four months there to prepare himself for the examination while a poor man will have to swelter in the heat of the plains. A rich candidate may have an insight into the views, the wishes and whims and caprices of examiners, while a poor man cannot have that advantage. A rich man may have the means open to him to cause a leakage of papers which a poor man cannot. Therefore, I beg to submit that the results of a competitive examination are not the test even of intellectual calibre. Personally I am opposed to any system of competitive test being introduced in the province in respect of sub-judges or in respect of any other important branch of public service. (*Hear, hear*).

But if the Chief Secretary has any definite predilection in favour of competition, I would suggest to him this. Muslims should compete among themselves. Sikhs should compete among themselves and Hindus to compete among themselves. I am of course confining myself to the case of zamindars only. So let there

be, if it is so desired, an internal competition among Hindu zamindars. Let Sikh zamindars compete among themselves, Muslim zamindars among themselves, and let the best men in each lot be appointed.

Mr. C. C. Garbett : I am sorry to interrupt the honourable member. But I do not understand what he means. I want to be made quite clear. Now 50 per cent. go to zamindars. I do not quite understand how his scheme will work.

Rao Bahadur Chaudhri Chhotu Ram : I was only suggesting a tentative method. It is a question which requires a good deal of consideration. What I was suggesting was that if the Government had a very decided preference for a system of competition, then the zamindars might be made to compete among themselves only. Let a definite share be earmarked for zamindars as has been done by a resolution of 1919, and let only those be appointed who come at the top. But that is only tentative.

Mr. C. C. Garbett : That is how the present scheme really works out.

Rao Bahadur Chaudhri Chhotu Ram : Not among the sub-judges certainly. The results of the selection in the executive branch have been extremely good. I am entirely satisfied with those results in spite of the fact that the Hindu zamindar does not at present form a large proportion even here. But that is accounted for by the fact that they entered this field only lately. But so far as recruitment during the last 6 or 7 years is concerned, Government has been absolutely fair to the zamindars, even the Hindu zamindars.

The Chief Secretary informed the House that the judges of the High Court favoured a system of competition out and out, and they would not ask for any power of nomination at all if that were done. That would be a great sacrifice, indeed, on their part. This suggestion has been made by them on the ground of efficiency. But I have already stated that efficiency will not be decided and cannot be decided by a competition test. Further I beg to submit, with the greatest deference to the honourable judges of the High Court, that so far as considerations of efficiency are concerned, they have shown very scant respect to them in making nominations out of the candidates who have passed the qualifying test, but have not come up sufficiently high. Their discretion seems to have been used in a manner which leaves a good deal to be desired. They have exercised their power of nomination in favour of a man who stood 60th in the test and belonged to a class which already preponderates in the service. That shows how careful or how careless the judges of the High Court have been in the matter of their discretion. The honourable judges of the High Court never chose to exercise their power of nomination in favour of a Hindu zamindar. I am sure that among the first 40 or 50 in the pass list they could have found a Hindu zamindar. But they never exercised their discretion in favour of a Hindu zamindar in spite of the fact that this consolidated statement must have been placed before them and made a crying appeal to them. But probably they look upon this consolidated statement as a nuisance. I am afraid that though they are very learned people and they have great traditions of impartiality, they seem to have a very narrow and restricted view of things. They ought to take factors other than the claims of judicial officers into

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their consideration. After all, though they are judges of the High Court they cannot be unaware of the fact that there is such a class as Hindu zamindars which comprises about 8 millions of the population. If they can exercise their discretion in favour of a man who happens to be related to a judicial officer and is so low down as 60th in the list of successful candidates, is it just, is it fair, is it wise, is it expedient, that they should refuse to exercise the same discretion in favour of a Hindu zamindar? I fear I must say emphatically and clearly that I am very much dissatisfied with the manner in which the powers of nomination have been exercised by the honourable judges of the High Court.

The Chief Secretary complained that though I had been making a good deal of capital out of the facts that have been supplied by him so kindly, I have really failed to suggest a practical remedy. I am going to suggest a remedy, and a very reasonable remedy too. Now the shares of Muslims, Sikhs and Hindus are already specified. There are two columns in the Consolidated List. What I suggest is this. Let there be a committee of one non-agriculturist Hindu, one agriculturist Hindu and one Government officer appointed. Let that committee decide what is the reasonable and just share that should be allotted to Hindu zamindars out of the Hindu share. I am even prepared to forego 5 per cent. of that share. But let that definite share go to Hindu zamindars without fail, unless no candidate with proper qualifications is forthcoming. Let a definite standard of qualifications be laid down. But this power of unrestricted discretion should be taken away even from the judges of the High Court.

Mr. C. C. Garbett : It is not unrestricted.

Rao Bahadur Chaudhri Chhotu Ram : It is practically unrestricted when they can exercise it in favour of a class which is already preponderating in that service, if they can exercise that discretion in favour of a man to select whom they have to pass over as many as 59 better qualified candidates. Anyway I beg to submit that a committee consisting of one non-agriculturist Hindu, one agriculturist Hindu and a Government officer should be appointed. Let that committee thrash out the whole question. Let a reasonable share, after making a reasonable allowance for the educational advance of my non-zamindar Hindu brethren, be earmarked for Hindu zamindars and let me have that share definitely without fail. That is not an unreasonable solution which I have suggested. If the Government is agreeable to such a solution, I would be quite willing to abide by it.

The Honourable Captain Sardar Sir Sikander Hyat Khan : It would require legislation.

Rao Bahadur Chaudhri Chhotu Ram : Let that committee decide what would be the reasonable share of Hindu zamindars out of the Hindu share. Suppose the Hindu share is 50 per cent., and the committee think, having regard to all the facts, population, backwardness, educational advance, etc., that the Hindu zamindars are entitled to 50 per cent. out of the Hindu share. Make another reduction of 5 per cent. from out of this and let 45 per cent. of the Hindu share only go to Hindu zamindars, I will be satisfied. Or if the committee fixes upon any other proportion, say, 60 per cent. or 40 per cent., I am willing to accept it. Not that I feel that 40

per cent. is the proper share. But if the committee after going into the whole question comes to the conclusion that a certain definite share, though low, will meet the reasonable claims of Hindu zamindars for the present, I am prepared to accept it.

The Honourable Captain Sardar Sir Sikander Hyat Khan : How are you going to implement the decision of the committee?

Rao Bahadur Chaudhri Chhotu Ram : It is for the Government to do it.

The Honourable Captain Sardar Sir Sikander Hyat Khan : The Act will have to be amended.

Rao Bahadur Chaudhri Chhotu Ram : So far as fixing the share of Hindu zamindars out of the share of Hindus is concerned, there is no question of amending the Act. But if an amendment is necessary, let that amendment be made. With these words, I beg to move that this motion be adopted.

Mr. President : Question is—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 12,51,400—Total Subordinate Judges.

The motion was carried.

(At this stage Mr. President left the chair and it was occupied by K. B. Sardar Habib Ullah).

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Non-official, nominated) (Urdu) : Sir I beg to move—

That the grant be reduced by Rs. 1 with respect to item of Rs. 27,34,500,—Civil and Sessions Courts.

I have brought forward this out with the intention of bringing this matter to the notice of the Government that the civil courts in execution proceedings attach little importance to the estimates of income from the land of the judgment-debtor submitted by the collector. This practice of the civil courts is very detrimental to the zamindars' interests. In order to save them from this ruinous practice it is necessary that the Government should issue a notification under section 68, Schedule III, of the Civil Procedure Code, transferring to the collectors execution of all decrees involving the alienation (temporary or permanent) of land belonging to agriculturists in the Punjab. Sir, in the districts of Multan, Muzaffargarh, Jhang and other places when a decree is given against the debtor the decree-holder applies that his land may be leased out in satisfaction of his decree. The court forwards the application to the collector asking him to submit the estimates of income from the land of the judgment-debtor. But no importance is attached to the estimates of income submitted by the collector in fixing the period for which the land is to be leased out in satisfaction of the decree. The civil courts always lease out the land of the judgment-debtor for a period far longer than that recommended by the collector. To show how much injustice is done to the zamindars in this way I will quote a few cases in which the lands were leased out for periods which could not be justified in view of the fact that the income derived from them was far in excess of that which was required for the purposes of satisfying the decrees. In one case the value of the decree was Rs. 428-9-0.

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The estimate of the annual income from the land of the judgment-debtor was Rs. 148. The collector recommended that the land may be leased out for three years in satisfaction of the decree. But the decree-holder refused to take the lease of the land for three years. Consequently it was auctioned and the decree-holder after getting permission to bid for it took it for 8 years on lease in satisfaction of his decree. In another case the collector reported that the income from the land was Rs. 181 annually and a decree of Rs. 92 could be satisfied in a year. But the court against this report of the collector auctioned it and sold it for Rs. 4 a year, to the decree-holder for 20 years. From this you can very well imagine how much injustice is done to the zamindars in execution proceedings. In a third case the annual income of the land was estimated at Rs. 41-6-6. The decree was for Rs. 272 and it was recommended that it may be leased out for four years in satisfaction of the decree. But the civil court leased it out for 18 years.

Mr. H. Calvert: Is the honourable member in order in criticising the conduct of any court of justice? Under S. O. 59, sub-clause (8), he is forbidden.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Sir, I am only quoting a few cases. I am not discussing the conduct of the courts. I am only referring to the decisions and not discussing whether those decisions were justified or not.

Mr. Chairman (Khan Bahadur Sardar Habib Ullah) : The honourable member is not in any way attacking the decision of the courts. But will he please keep that S. O. in view in his further discussion ?

Khan Bahadur Mian Mushtaq Ahmad Gurmani : Sir, in the case which I was mentioning the decree was for Rs. 461 and the collector had reported that the decree will be satisfied in 9 years. But the civil court leased the land for 18 years. There are many such cases and if the Government holds an enquiry it can bring them to light. The collectors report in such cases is not in the least regarded important. The estimates of the income from the land submitted by the collector are based on the price of the produce of the land assessed by the settlement officer and the market prices prevalent at the time. If the prices assessed by the settlement officer are wrong then I would submit that the whole land revenue system of the Government is wrong for it is based on the prices assessed by the settlement officers.

There is a ruling of the High Court according to which it is open to the decree-holder to refuse to accept the report of the collector and to apply to the court for the auction of the land of the judgment-debtor. Nowhere in this ruling is it laid down that the decree-holder should also give reasons why he is not prepared to accept the report of the collector. It is due to this that such deplorable things happen. The fact that the decree-holder is free to accept or to refuse the report of the collector as to the annual rental value of the land has resulted in miscarriage of justice and lands have been alienated in satisfaction of decrees for 20 years and such long periods whereas they ought to have been leased out for not more than 4 or 5 years. What greater injustice can be done to the zamindars? In 1924 in some districts the collectors made an effort to interfere in such matters. But by a circular

letter they were forbidden to do so. In that circular letter it was stated that in such proceedings the collectors did not constitute a court but they were only ministerial officers and their business was only to comply with the orders of the court. Further in order that the collectors may not delay those proceedings they were asked to return their reports regarding estimates within 90 days after receipt of a reference from the civil courts. Under such circumstances, when so much injustice is being done to the zamindars it is the duty of the Government to extend a helping hand to them. The Government should issue a notification under section 68, schedule III, of the Civil Procedure Code, transferring to the collectors execution of all decrees involving the alienation of land in such cases. To do so would be very just and helpful to the zamindars. There are very reasonable grounds for taking an action in this matter. The Government if they take interest in it can find many such cases in which injustice has been done. I hope the Government would see their way to accede to my request and do the needful in this matter.

Mr. Chairman : Motion is—

That the grant be reduced by Re. I with respect to the item of Rs. 27,34,500—Civil and Sessions Courts.

Mr. D. J. Boyd (Financial Commissioner): Sir, a famous poet of my country was responsible for the well-known line—

The best laid schemes of mice and men Gang aft a gley.

And the honourable member's speech seems to me a signally clear illustration of the truth of the proverb. For the disadvantages suffered by judgment-debtors of which he has just complained are, I am sorry to say, a result of the system proposed by the local Government or the Financial Commissioner for the benefit of the judgment-debtor. Apparently it is a boomerang and has hit us on our own heads. The truth is that in our opinion settlement estimates of outturns were framed on very cautious lines so that assessment shall not be too heavy. These settlement outturns have hitherto been used by collectors in working out the period for which land should be given on lease or farm in satisfaction of a decree. In our opinion these periods were too long because the settlement outturns were under-estimated and for that reason we proposed to the High Court that as an experiment in two districts the farm of judgment-debtors' land might be auctioned in the hope that we will get the periods considerably reduced, but we have heard to-day the result. Apparently the result has been in many cases that the period has been very considerably increased, but I do not think that we should blame the civil courts. This result has been most unforeseen and most unthought of. The only possible improvement that I can think of in this system would be the transfer of the auction of the land to the collector instead of the civil courts and I do not see why this should not produce a shorter period of farm. As regards the general question it is quite true that under section 68 of the Civil Procedure Code the local Government can issue a notification transferring to the collector the execution of decrees in accordance with which immovable property is to be sold. In the Punjab this has not yet been done. The question whether it should be done has been discussed several times and on each occasion it has been rejected. The real reason why it has been rejected is that it has been considered unnecessary because of the Punjab Land Revenue Act. Here we have

[Mr. D. J. Boyd.]

a special law of our own on the subject. That law is embodied in section 141 of the Punjab Land Revenue Act which requires that orders issued by any civil court for the attachment or sale of any land shall be addressed to the collector. This insures that the collector shall have an opportunity of representing his views whenever land is to be attached or sold. It is perfectly true that in cases which do not fall under section 72 of the Civil Procedure Code, the collector acts merely as a ministerial officer of the court and has to obey orders but at any rate he has an opportunity of making himself heard. All members of this House are aware that the land of a member of a notified agricultural tribe cannot be sold in execution of a decree. This rule is embodied in section 16 of the Punjab Land Alienation Act. In such cases section 72 of the Civil Procedure Code does not apply because that section applies to cases in which land can be sold in execution of decree. In such cases if the collector is permitted to intervene he intervenes as a court with the powers of a court and an appeal against his orders lie before a revenue court. But we can lay this case aside because only 9·4 per cent. of the area of the province is held by persons who are not members of a notified agricultural tribe. The great majority of cases are those in which a temporary alienation has to be made of the land of a member of a notified tribe. In such cases as I have said section 141 of the Punjab Land Revenue Act gives the collector a chance of representing his views.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I am sorry to interrupt the honourable Financial Commissioner. Did he say that only 9·4 per cent. was owned by non-statutory agriculturists?

Mr. D. J. Boyd : That is including all the land in the province owned by Government and by other owners. The orders of the High Court to the subordinate civil courts are embodied in the volume of Rules and Orders from which I would quote so far as concerns this matter—

As a result of the provisions of section 141 of the Land Revenue Act, there is a long-standing arrangement sanctioned by the Financial Commissioners by which the civil courts are enabled to ask the collector to advise them whether a temporary alienation is feasible and if so, what its character should be ; and such advice shall be sought in every ordinary case in the manner prescribed in the foregoing instructions.

The High Court have required their subordinate civil courts to seek the advice of the collector in every ordinary case of temporary alienation of land. Then the High Court Rules and Orders go on to say—

When the Collector's advice is received, the court ordinarily should follow it unless moved not to do so by one of the parties to the proceedings and unless such party is able to show that the Collector's opinion is erroneous.

It is very difficult to ask the High Court to go any further than that, to direct the subordinate courts to follow the collector's advice unless one of the parties requests it not to follow that advice and is able to show that the collector's advice is erroneous. That seems to me to secure very nearly everything that could be secured by notification under section 68 of the Civil Procedure Code, and I believe I am right in saying that on the last occasion on which Government considered the issue of such a notification it refrained from doing so when the High Court agreed to issue these instructions requiring subordinate courts to follow the advice of the collector unless one of the parties was able to show that that advice was erroneous. There is no

very strong reason that I see beyond a disturbance of the existing practice why the notification should not be issued except that it would almost certainly involve deputy commissioners in a good deal more work than they do at present. It is true that objections to the execution of decrees for the sale of land have to be decided by the civil courts even when execution proceedings are transferred to the collector. But the rules in schedule 3 of the Civil Procedure Code enjoin that when a collector receives these objections he shall make a list of them, he shall express his opinion upon them and then report them for the orders of the civil court. That is going to entail a considerable amount of extra work which should be done by the deputy commissioner. And as a revenue officer I very strongly deprecate putting any work upon the deputy commissioner that can be avoided. He is already over-worked. There is no doubt about it. The administration would be much better if the charges of deputy commissioners were smaller or if they had fewer duties to discharge, and unless it is absolutely necessary I would very strongly deprecate putting any extra duty upon them. It is mainly for this reason that Government has refrained up till now from issuing a notification under section 68,—for this reason, coupled with the safeguards which Government has been able to obtain from the High Court and which are embodied in the rules which I have now read in which the High Court enjoin upon their subordinate civil courts that they must follow the advice of the collector unless one of the parties can show that it is erroneous.

There is just one other plea that I will make against the change and it is this. At the present moment and for a considerable time past the relations so far as I am aware, between the High Court and the Government have been exceedingly amicable and they have been characterised by co-operation. It would be a pity to disturb this atmosphere of mutual trust by the unnecessary issue of a notification under section 68 which would inevitably appear to reflect upon the attitude of the courts. (*Cheers*).

Rao Bahadur Chaudhri Chhotu Ram : I am sorry I had to absent myself for a few minutes and have not had the benefit of hearing the speech that was made by the honourable member from Muzaffargarh. Nor have I had the benefit of having heard the whole of the speech that has just been brought to a close by the Financial Commissioner. But on general grounds I lend my whole-hearted support to the motion that has been moved by the honourable member from Muzaffargarh. It is true that as far as possible amicable relations should characterize the mutual dealings between the Government and the High Court. But after all everything should not be sacrificed to the necessity of maintaining amicable relations. If the Government finds that in order to secure these amicable relations the interests of a whole class have to be subordinated I should with great regret contend that something should be done even at the risk of disturbing those relations. We are very anxious to reach the Demand under Land Revenue, and therefore I do not propose to make a long speech on this important subject. But I may add a few more words. I remember that some years ago there was trouble between the Financial Commissioners and the High Court as to whether a collector when dealing with cases referred to him under section 68 of the Civil Procedure Code should be regarded as a mere ministerial officer or should be regarded as a court. The Financial Commissioners naturally contended that the collector when dealing with cases referred to

[R. B. Ch. Chhotu Ram.]

him under section 68 was acting not only as a ministerial officer but as a court. (*The Financial Commissioner* : Under section 72). I am sorry, but even if that trouble related to questions rising under section 72 of the Civil Procedure Code, the difficulty which might possibly arise over the question now under discussion would be of the same character. If the collector is to act only as a ministerial officer, then of course the final say will rest with the civil court judges and there, as I was pointing out in the course of the speech that I made with regard to the appointment of subordinate judges, the same difficulty will arise again. Whenever there is a question of discretion, the discretion is more often than not likely to be exercised by a subordinate judge in favour of the decree-holder and not in favour of the judgment-debtor, the reason being that the civil section of the provincial judicial service is dominated very largely by gentlemen who are drawn from non-agricultural classes and to whom the interest of the decree-holder are far dearer than the interest of the judgment-debtor.

Mr. D. J. Boyd : I am very sorry to interrupt. But are such remarks in order ?

Mr. Chairman (Khan Bahadur Sardar Habib Ullah) : Will the honourable member please confine himself to the motion under consideration and avoid making reflections on the courts ?

Rao Bahadur Chaudhri Chhotu Ram : Very well. I will not make any reflections. When difficulties have to be discussed some sort of reference to the character of those difficulties has to be made. The difficulty that I was discussing was that in the exercise of discretion human nature cannot resist itself. That is not a reflection either on the judicial force as a whole or on any individual member of that force. I beg to submit very strongly that it is impossible to resist the promptings of human nature. In matters where things seem to be equally balanced we are bound to act according to our natural impulses and those natural impulses are implanted by a Providence higher than ourselves. We cannot expect to overcome them. So I beg to submit that if any change in the law is necessary and the collector has to be invested with the powers of a court rather than those of a mere ministerial officer complying with the requisition of a civil court that change should be made. In these days of financial stringency when debtors are in the most miserable plight every attempt should be made by the Government as well as the High Court to save the debtor class from utter ruin. The subordinate judges generally take a very technical view of things and if only a proviso is introduced that the decision of the collector will ordinarily be accepted by the civil court but that if any of the parties is in a position to show that that decision of the collector is not just it only leaves the civil court to have the last say. If such a state of things is allowed to continue, the results will always be the same. The only solution is to invest the collector with the powers of an executing court in respect of cases which are referred to him under section 68 of the Civil Procedure Code. I gave an instance in the course of my previous speech that in one case a whole family consisting of eleven persons, one a widow and ten minors, was left without an inch of land in spite of the fact that the tahsildar had reported that the sole source of livelihood of that family consisted in its agricultural land, and that the whole holding was alienated for 20 years. If this is the way in which

discretion has been used in the past I do not see any very good prospect of that discretion being used in a judicious manner in future unless the collector is definitely made into an executing court instead of a mere ministerial officer that he is under the present rules.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Urdu) : Sir, I am really delighted to hear the speech of the honourable Financial Commissioner. He has very kindly expressed his sympathies with the zamindars. I am grateful to him for the expression of sympathy with and good feelings for the zamindars who suffer from the execution proceedings. He mentioned two difficulties which stand in the way of his acceding to my request. The first difficulty to which he referred was that the collectors are already over-burdened with work, and if this work is also entrusted to their care they would not be able to attend to it efficiently. The second difficulty which stands in his way is that the Government does not desire to destroy the cordial relations that have so far existed between them and the High Court. So far as the first difficulty is concerned I admit that the collectors have got multifarious duties—duties regarding revenue, duties regarding administrative work and duties regarding judicial affairs. But there is a way out of this difficulty and it is that additional magistrates may be appointed in districts where the volume of work is too much. In the districts where the number of execution proceedings is very large additional magistrates may be appointed to dispose them off.

(At this stage Mr. President resumed the chair.)

Wherever there is some political unrest the Government increases the strength of the police; similarly if the number of political cases becomes larger more magistrates are appointed to dispose them off. Similarly when there is a rush of revenue work the revenue staff is increased to cope with it. In the same way if by transferring the work of execution of all decrees to the collectors, it is feared that their work will be increased, additional magistrates may be appointed to do it. To save the zamindars from such a difficulty it is the duty of the Government to take some action whether it be by handing over this work to the collector or by appointing an additional magistrate for it. It is not difficult for the Government to appoint an officer with the powers of a collector in order to save the zamindars from the present practice of the civil courts. I have tried to lay it before the Government, as clearly as it is possible for me to do, that the zamindars are made to suffer too much by the present practice of the civil courts by which they lease out their lands for such long periods which cannot be justified in view of the small value of the decrees and comparatively larger annual rental value of their lands. A decree which can be satisfied with a single year's income from a particular land, is made to satisfy with its 20 years' income by estimating it either at too low a figure or by auctioning it away for a very low bid. The zamindars are the most loyal subjects of the Government. In their difficulties the Government have always depended upon them and they have always proved themselves of great help to them. It is the duty of the Government to protect them and to save them from any injustice that is being done to them. If their difficulties can be removed by the appointment of an additional officer there is no reason why the Government should hesitate to make such appointment.

[K. B. Mian Mushtaq Ahmad Gurmani.]

The second difficulty to which reference was made by the Honourable Financial Commissioner was that they do not want to destroy their cordial relations with the High Court. In so many cases the Government disagrees with the High Court and then gets the laws amended in order that in future difficulties which cause disagreement may not arise. Similarly, if in the present case the High Court takes an exception to it, the Government should not mind it and use the powers which are vested in them. The Government should not ignore the claims of the zamindars simply to humour the High Court. The zamindars have proved their loyalty, they have always stood by the Government in their difficulties, they have always readily showed themselves prepared to make sacrifices for them. The Government should not ignore the claims of such friends simply for the sake of pleasing the High Court. They should have the courage to displease 10 High Courts for such a good cause as the present one. Let the Government show courage. Experience has already shown that you can work wonders by courage and fortitude. Whenever you have lost courage and have not made a move dauntlessly you have turned most propitious moments into unlucky ones. But when you have shown courage and acted dauntlessly you have achieved success in the teeth of opposition and in most unfavourable circumstances. When you are convinced of the reasonableness of your cause and righteousness of your position why should you, I ask, hesitate to boldly assert your claims? If you have the courage of your convictions, you should never let these petty considerations block your way. The learned Financial Commissioner has admitted the necessity of introducing changes in the extant rules and now when it is requested that the Government should do the needful in this respect, he should earnestly proceed to satisfy the public demand. With these words, Sir, I should like to press my motion.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) (*Urdu*): Sir, I am glad to hear the praise of revenue officers from the lips of my honourable friend from Muzaffargarh. But I regret that these encomiums should have been showered at the expense of sub-judges. I am, however, gratified to learn that there is at least one section of Government servants which in the view of the honourable members has the reputation of being sympathetic towards the people. My own view is that other sections are similarly imbued with the same spirit.

As regards the legal aspect of this motion, the honourable Financial Commissioner has thrown sufficient light on the subject. I am not in a position to give an authoritative opinion as I am not well versed in legal matters. Government has been in correspondence with the High Court regarding this matter and the High Court agreed to our proposal for auctioning the period of lease when the land has to be farmed out in the execution of a decree, as an experimental measure in two districts, Jhang and Muzaffargarh.

As for the opinion of the High Court that collectors are merely ministerial officers and not judicial officers, in such matters we cannot challenge this view so long as the law on this point remains as it is. The amendment of the law is entirely a matter for the central legislature. The local legis-

lature is not in a position to do anything in this matter. And even if the Government of India were inclined to amend the law they will find it difficult to get it through the Assembly.

Chaudhri Allah Dad Khan : Why not introduce a Bill in this House ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : We cannot do so as the matter is a central subject. I think you realize as well as I do that even if we succeed in convincing the Government of India that a change is necessary they will not be able to find the requisite support for such a measure in the Assembly.

Rao Bahadur Chaudhri Chhotu Ram : Why not ask them to promulgate an Ordinance ? (*Laughter*).

The Honourable Captain Sardar Sir Sikander Hyat Khan : Under these circumstances it is hardly worth while to approach the Government of India. The honourable members are fully aware that the Punjab Government has never been found wanting whenever an occasion has arisen for safeguarding the interests of zamindars. Only recently when the Land Alienation Act was in danger of being torpedoed as a result of certain rulings of the High Court, and we were satisfied that the interpretation put on one of the sections of the Act by the High Court was likely to prove detrimental to the interests of the agriculturists of this province we lost no time in introducing an amending Bill in this Council and getting it passed.

My honourable friend opposite has complained that sub-judges do not pay any heed to the opinion of the collectors. If he can furnish the Government with specific instances I will be glad to forward them to the High Court and draw their attention to these cases. But it is necessary that the instances quoted should be based on facts and not upon mere hearsay or hypothetical cases. I hope that the honourable mover would not press his motion, for it would be sheer waste of time and energy to pursue a matter in which there is little chance of success.

Mr. President : The question is—

That the grant be reduced by Re. 1 with respect to the item of Rs. 27,34,500—Civil and Sessions Courts.

The motion was carried.

Mr. President : The question is—

That a sum not exceeding Rs. 43,57,498 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 1934, in respect of Administration of Justice.

The motion was carried.

GENERAL ADMINISTRATION (TRANSFERRED).

The Honourable Sardar Sir Jogendra Singh : I beg to move—

That a sum not exceeding Rs. 1,88,600 be granted to the Punjab Government (Ministries of Education, Agriculture and Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1934, in respect of General Administration (Transferred).

The motion was carried.

GENERAL ADMINISTRATION (RESERVED).

The Honourable Captain Sardar Sir Sikander Hyat Khan : I beg to move—

That a sum not exceeding Rs. 84,69,100 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 1934 in respect of General Administration (Reserved).

Mr. President : The motion is—

That a sum not exceeding Rs. 84,69,100 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 1934 in respect of General Administration (Reserved).

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (Urdu) : I beg to move—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 32,200, Total Punjab Services Commission.

Sir, I have moved this cut to urge that the appointment of the Punjab Services Commission be delayed by one year. When the Act providing for the appointment of this Commission was passed the Government assured us that they would not appoint it until the financial condition of the province becomes satisfactory. Moreover, the Commission if now appointed will have no work to do because owing to the financial stringency we are not making any fresh recruitment. Furthermore it was stated by the Government that rules governing all kinds of recruitments will be framed before the Commission begins its work. But no rules have yet been framed. Under these circumstances the Government would be well advised to delay the appointment of the Commission by one year and for the time being save the money budgetted under this head. With these words, Sir, I commend my motion for the acceptance of this House.

Mr. President : The motion is—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 32,200, Total Punjab Services Commission.

WHITE PAPER.

Khan Bahadur Sardar Habib Ullah : Before you adjourn the House I should like to know whether copies of the White Paper will be available to members to-morrow.

6 P.M.

The Honourable Captain Sardar Sir Sikander Hyat Khan : The contents of the White Paper will appear in the morning papers on the 18th and in the evening papers to-morrow.

Khan Bahadur Sardar Habib Ullah : The papers will give only a summary.

Mr. C. C. Carbett : Some copies have just been received and they are being distributed to the Press. Some more copies for distribution to the public are still on their way, but I am not quite sure how long they will take to reach us. If the honourable member will kindly see me after Council adjourns, I hope I will be able to satisfy him.

The Council then adjourned till 2 p. m. on Monday, 20th March 1933.

PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Monday, 20th March 1933.

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

STARRED QUESTIONS AND ANSWERS.

RECOGNITION OF THE SANATAN DHARAM SCHOOL, SIMLA.

***2388. Lala Bhagat Ram :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that the Director of Public Instruction gave a promise to a deputation that, pending a decision in the matter of recognition of Sanatan Dharam School, Simla, there would be no difficulty for the tenth class boys of the said school to sit in the coming Matriculation examination ;
- (b) whether it is a fact that sanction was, in the first instance, accorded by the Director of Public Instruction for the boys to sit in the examination as ordinary school boys, but that a few days later this sanction was cancelled, a copy of the orders being also sent to the Registrar, Punjab University ;
- (c) the reasons which led the Director of Public Instruction to cancel his previous orders referred to above ;
- (d) whether Government is now prepared to extend recognition to the high department of the Sanatan Dharam High School, Simla, in view of the general demand of the whole Hindu public of Simla, which is apparent from the resolutions passed by the Arya Samajes (two sections), Brahman Sabha, Hindi Pracharini Sabha, Hindu Sabha, Jain Sabha, Singh Sabha, &c., of Simla ?

The Honourable Malik Sir Firoz Khan Noon : (a) The Director of Public Instruction informed the deputation that the boys of this school would be permitted to appear as private candidates in the next matriculation examination.

(b) No.

(c) Does not arise.

(d) No. All the boys in the high classes of this school can be accommodated in the Local Government high school, while the situation and accommodation of the S. D. school are unsatisfactory.

SUKHDEV RAJ, PRISONER.

***2389. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) if it is a fact that Mr. E. S. Lewis, Additional District Magistrate, Lahore, recommended Sukhdev Raj to B special class at the time he convicted him under the Arms Act on 20th January 1933 ;

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- (b) whether it is a fact that the Government has refused to confirm the recommendation in question ; if so, why ;
- (c) the grounds on which the trying court recommended B class treatment for Sukhdev Raj ;
- (d) if it is a fact that on enquiry the grounds stated by the magistrate were found to be correct ?

The Honourable Sir Henry Craik : (a) Yes.

(b) Yes ; from enquiries which were made it appeared that he was not accustomed before conviction to a standard of living higher than that of persons who on conviction are classified as C class.

(c) Mainly on the score of his education.

(d) The Magistrate was not in possession of full information regarding the prisoner as is shown by the fact that his classification order was provisional and subject to "enquiries to be made." It was based on information supplied by the convict himself.

PREM KUMAR, PRISONER.

***2390. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance please state—

- (a) if it is a fact that Prem Kumar was a C class prisoner before he escaped from the Mayo Hospital, Lahore ;
- (b) if it is a fact that after his rearrest he was placed in B class ;
- (c) if so, whether this is due to his consenting to appear as a witness against certain persons who are alleged to have helped him in his escape ?

The Honourable Sir Henry Craik : (a) No.

(b) and (c) Do not arise.

B CLASS PRISONERS.

***2391. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance please—

- (a) lay on the table the qualifications in view of which prisoners, enjoying B class in Punjab jails at present, have been placed in that class ; and
- (b) state what, according to the Government, are the minimum qualifications necessary for a person to be eligible to be placed in B class ?

The Honourable Sir Henry Craik : (a) An extract from the relevant rules is laid on the table.

(b) Each case is decided on its merits. It is not possible to define the minimum qualification.

Extract from the rules for the classification of convicted and under-trial prisoners.

I. (1) Convicted persons shall be divided into three classes, namely, A, B and C. Class 'A' will contain all prisoners who are—

- (a) non-habitual prisoners of good character ;

(b) by social status, education and habit of life been accustomed to a superior mode of living, and

(c) have not been convicted of—

- (i) offences involving elements of cruelty, moral degradation or personal greed ;
- (ii) serious or premeditated violence ;
- (iii) serious offences against property ;
- (iv) offences relating to the possession of explosives, fire-arms and other dangerous weapons with the object of committing an offence or of enabling an offence to be committed ;
- (v) abetment or incitement of offences falling within these sub-clauses.

(2) Class 'B' will consist of prisoners who by social status, education or habit of life have been accustomed to a superior mode of living. Habitual prisoners may be included in this class by order of the Local Government.

(3) Class 'C' will consist of prisoners who are not classified in classes A and B.

* * * * *

(4) In making a recommendation for classification into either class the recommending authority should, whenever possible, give the following details :—

- (1) Whether the prisoner has been classified as casual or habitual ;
- (2) the previous convictions of the prisoner, if any ;
- (3) the offence committed with the sentence inflicted ;
- (4) the social and financial status of the family.

A useful indication is a reference to the social position of any near relatives, such as the holding of a post in Government service or following a learned profession or payment of land revenue or income-tax or other taxes ;

- (5) the profession of the prisoner ;
- (6) the income of the prisoner if he has any independently of that stated in (4) ; and
- (7) the educational qualifications of the prisoner, including examinations, if any, which he has passed.

If the recommending authority is of opinion that the statements of the prisoner on these points require verification it should make further enquiries from the district magistrate or any other source, and it may either defer making the recommendation until it has received the information asked for or may make the recommendation on the materials available and state that the result of further enquiries will be submitted when received.

SUKHDEV RAJ, PRISONER.

***2392. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance be pleased to state—

- (a) whether the Government is aware that Mr. Sukhdev Raj, an accused in the Lahore Conspiracy case, has been sentenced to three years' rigorous imprisonment by Mr. Lewis, Additional district magistrate, Lahore ;
- (b) whether it is a fact that Mr. Lewis in view of Mr. Sukhdev Raj being an M.A. student and accustomed to a better mode of life in the boarding house of a college, placed him in ' B ' class ;
- (c) whether it is a fact that the Government has turned down the recommendation of the trying magistrate and placed him in ' C ' class ;
- (d) whether the Government is aware that Mr. Sukhdev Raj is a distinguished graduate of the Punjab University, and that as an inmate of the college boarding house Mr. Sukhdev Raj was accustomed to a higher mode of life than that of an ordinary prisoner ;
- (e) whether it is a fact that for the last one year and nine months Mr. Sukhdev Raj was being treated as a better class under-trial prisoner in the Central Jail ;
- (f) if as a student and as well as just before conviction his mode of life was higher than that of an ordinary prisoner, whether the Government is justified in placing him in ' C ' class ;
- (g) in view of his educational qualifications and higher mode of life whether the Government is prepared to reconsider its decision and place Mr. Sukhdev Raj in ' B ' class ?

The Honourable Sir Henry Craik : (a) Yes.

(b) Yes, provisionally and subject to enquiries to be made.

(c) Yes.

(d) No. He was a student in the M.A. class of the D.A.-V. College at Lahore. As a boarder in the college hostel he paid Re. 0-4-0 a day for food. He was not accustomed to a higher mode of life.

(e) Yes.

(f) The honourable member makes an assumption which is incorrect.

(g) Government are not prepared to reconsider the matter.

MAYO SCHOOL OF ARTS, LAHORE.

***2393. Raja Muhammad Sarfaraz Ali Khan :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the date when the Mayo School of Arts, Lahore, was founded ;
- (b) the names of the staff of this school at present, communitywise, excluding the menial staff ;
- (c) the names of persons who are permanent and who are not permanent, communitywise in this list ; also the period of services of each of the temporary staff with reasons for not making them permanent ;
- (d) whether it is a fact that never in the history of the Mayo School of Arts, Lahore, any permanent Muslim Principal was appointed ?

The Honourable Dr. Gokul Chand Narang : (a) 1875.

(b) A statement is laid on the table.

<i>Hindus.</i>	<i>Designation.</i>
1. Mr. S. N. Gupta	.. Principal.
2. Mr. B. C. Sanyal..	.. Assistant to Principal.
3. Lala Jagan Nath	.. III Drawing Master.
4. Pandit M. V. Savare	.. Head Modelling Teacher.
5. Mr. Washeshar Dass	.. II Clerk.
6. Mr. Hans Raj ..	.. III Clerk.
<i>Sikhs.</i>	
1. Bhai Sadhu Singh	.. II Drawing Master.
2. Bhai Bhagwan Singh	.. Head Carpentry Teacher.
3. Bhai Karm Singh	.. II Carpentry Teacher.
4. Bhai Sundar Singh	.. Goldsmith Teacher.
5. Bhai Bela Singh ..	.. Assistant Carpentry Workman.
6. Bhai Sohan Singh	.. Head Clerk.
<i>Muhammadans.</i>	
1. M. Muhammad Hussain	.. Assistant Principal.
2. M. Ata Muhammad	.. IV Drawing Master.
3. M. Khadim Hussain	.. V Drawing Master.
4. M. Abdul Hamid	.. Assistant Modelling Teacher.
5. M. Mian Muhammad	.. Works Overseer.
6. M. Haji Muhammad	.. 1st Blacksmithy Teacher.
7. M. Ali Ahmed ..	.. 2nd Blacksmithy Teacher.
8. M. Muhammad Ismail	.. Light Metal Teacher.
9. M. Khair Din ..	.. Carpentry Teacher.
10. M. Imam Din ..	.. Polishing Teacher.
11. M. Zulfiqar Ali Shah	.. Engine Driver.
12. M. Ain Din ..	.. Pressman.
13. M. Mubarik Ali ..	.. Lacquer Turner.
14. M. Muhammad Sharif	.. Metal Turner.
15. M. Muhammad Yusuf	.. Head Carpentry Workman.
16. M. Ashiq Hussain	.. Store-keeper.

(c) A statement is laid on the table.

PERMANENT STAFF.

<i>Hindus.</i>	<i>Sikhs.</i>
1. Mr. S. N. Gupta.	1. Bhai Sadhu Singh.
2. Lala Jagan Nath.	2. Bhai Bhagwan Singh.
3. Pandit M. V. Savare.	3. Bhai Karm Singh.
4. Mr. Washeshar Dass.	4. Bhai Sohan Singh.
5. Mr. Hans Raj.	
<i>Muhammadans.</i>	
1. M. Muhammad Hussain.	4. M. Abdul Hamid.
2. M. Ata Muhammad.	5. M. Ashiq Hussain.
3. M. Khadim Hussain.	

[Hon. Dr. Gokul Chand Narang.]

TEMPORARY STAFF.

PERIOD OF SERVICE.

<i>Hindus.</i>		<i>Years.</i>	<i>Months.</i>	<i>Days.</i>
1.	Mr. B. C. Sanyal ..	3	3	14
<i>Sikhs.</i>				
1.	Bhai Sundar Singh ..	19	3	9
2.	Bhai Bela Singh ..	11	4	9
<i>Muhammadans.</i>				
1.	M. Mian Muhammad ..	18	8	25
2.	M. Haji Muhammad ..	20	2	9
3.	M. Muhammad Ismail ..	10	1	17
4.	M. Ali Ahmed ..	5	10	18
5.	M. Khair Din ..	11	7	19
6.	M. Imam Din ..	13	1	26
7.	M. Zulfiqar Ali Shah ..	14	2	22
8.	M. Muhammad Yusaf ..	12	10	17
9.	M. Ain Din ..	17	1	9
10.	M. Muhammad Shauf ..	2	3	23
11.	M. Mubarik Ali ..	0	11	9

The temporary staff has not been made permanent on account of financial stringency.

(d) The late Khan Sahib Munshi Sher Muhammad Khan officiated as Principal from 21st June 1920 to 25th April 1921 and 6th December 1923 to 7th February 1924, respectively.

MUSLIM REPRESENTATION IN AGRICULTURAL DEPARTMENT.

***2394. Raja Muhammad Sarfaraz Ali Khan :** Will the Honourable Minister for Agriculture kindly state —

- (a) the proportion on which the students are admitted in the 1st year class in the Punjab Agricultural College, Lyallpur, communitywise ;
- (b) the number of students who passed the F.Sc. (Agr.) examination from the Khalsa College, Amritsar, and joined the 3rd year class in the Punjab Agricultural College, Lyallpur, in 1928 and 1929, respectively, communitywise ;
- (c) the number of students of the 3rd year class in 1928 and 1929 communitywise ;
- (d) the number of students who passed the B.Sc. (Agr.) examination in 1930, communitywise ;
- (e) the number of persons appointed as agricultural assistants in 1930, communitywise ;
- (f) whether an article requesting the Government to give the Muslims their due share at the time of appointment, published in the *Muslim Outlook* a few days before the date fixed for interview in 1930, came under the notice of Government ;

- (g) if the answer to (f) above be in the affirmative, what steps the Government took at that time to give the Muslim community their due share in the Agricultural Department in the cadre of agricultural assistants ;

- (h) if none, why not ?

The Honourable Sardar Sir Jogendra Singh : (a) The honourable member is referred to the reply given to part (b) of Council question No. *1888 published in Volume XII—No. 10 of the Punjab Legislative Council Debates; dated 4th March, 1929.

(b)	1928	..	..	..	12 Sikhs.
	1929	..	..	..	9 Sikhs and 2 Hindus.

(c)	Year.	Hindus.	Muslims.	Sikhs.	Christian.	Total.	
	1928	..	8	6	15	..	22
	1929	..	17	25	16	1	59
(d)		11	11	19	1		42

(e)	Muslims	..	..	..	..	..	2
	Hindus	..	..	..	..	..	3
	Sikhs	..	..	..	..	..	8
	Others	..	..	..	..	..	1
				Total	..	..	14

- (f) No.

(g and h) Do not arise. Appointments were made strictly in the order of merit according to examination results. I may further add that in 1929 all available Muslim graduates were given appointments. Though in 1930, 14 posts were filled as mentioned by me, 11 were brought under reduction and the 3 remaining are held by a Muslim, a Sikh and a Christian. The permanent appointment is held by the Muslim, and other two hold temporary appointments.

MUSLIM AGRICULTURAL ASSISTANTS.

***2395. Raja Muhammad Sarfaraz Ali Khan :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that out of 184 agricultural assistants in the Agricultural Department there are only 62 Muslims and the remaining 122 are non-Muslims ;
- (b) whether the number of Muslims in this cadre is less than their due right ;
- (c) whether it is a fact that two Sikh graduates of the Punjab Agricultural College, Lyallpur (one named Gurcharan Singh and the other Otar Singh) have been recently appointed in this department ;

[Raja Muhammad Sarfaraz Ali Khan.]

- (d) whether there were any unemployed Muslim graduates of this college ;
- (e) if the answer to part (c) and (d) above be in the affirmative why the Muslim graduates were not appointed to these posts to make up the paucity of Muslims in this cadre ;
- (f) whether the Government will keep a separate list of Muslim unemployed graduates of this college for the last three years, respectively ;
- (g) whether the Government will be prepared to stop the recruitment of all other communities in future unless this obvious inequality in the representation of Muslim community is removed ?

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

(b) The honourable member's attention is invited to the reply given to part (g) below.

(c) Yes.

(d) Yes.

(e) The appointments were made on the basis of merit as shown by examination results.

(f) No.

(g) The policy of Government in the matter is fully explained in the statement made in the Punjab Legislative Council on the 19th July 1927 by the Finance Member, and it is proposed to adhere to that policy.

HEAD CLERK OF INSPECTOR OF INDUSTRIAL SCHOOLS' OFFICE.

***2396. Raja Muhammad Sarfaraz Ali Khan :** Will the Honourable Minister for Local Self-Government please state—

- (a) when the present head clerk of the office of the Inspector of Industrial Schools, Punjab, was appointed to this post ;
- (b) the number of headmasters appointed in this department since he was appointed to this post ;
- (c) the percentage of such headmasters communitywise ?

The Honourable Dr. Gokul Chand Narang : (a) 1st March 1926.

(b) 12. The appointment of headmasters is no concern of the head clerk.

					Per cent.
(c) Hindus ..	..	..	..	..	58
Muslims ..	..	..	..	..	17
Sikhs ..	..	..	..	..	8
Others ..	..	..	..	..	17

HEADMASTERS, INDUSTRIAL SCHOOLS.

***2397. Raja Muhammad Sarfaraz Ali Khan :** Will the Honourable Minister for Local Self-Government be pleased to lay on the table a complete list of the headmasters of the industrial schools where there is a weaving class, communitywise, giving their names, qualifications, pay at present, and the starting pay of each when first appointed to this post, with reasons if there is any difference in their starting pay, and to state whether it is a fact that none of the headmasters of the schools where there is a weaving class is Muslim ?

List showing Headmasters of Industrial Schools where there is a weaving class.

Serial No.	Name.	Community.	Qualifications.	Present pay.	Starting pay when first appointed to the post of the Headmaster.	Reasons for difference in the starting pay of the post.
1	Lala Hari Ram, Headmaster, Government Industrial School, Ferozepore.	Hindu ..	(1) Matrio .. (2) Mayo School of Arts Diploma in Carpentry. .. (3) Manual training diploma ..	Rs. 180	Rs. 140	Lala Hari Ram was drawing Rs. 160 per month at the time of the provincialisation of the school. He was taken on a starting salary of Rs. 140 per month in grade Rs. 140-10-180. It was not considered proper to give him more than the starting pay of the grade.
2	Mr. L. M. De, Headmaster, Government Industrial School, Gujrat.	Do. ..	(1) Matrio .. (2) Textile Diploma of Serampur .. (3) First grade City and Guilds of London certificate in Weaving and Cotton Spinning.	300	Rs. 260 in grade Rs. 120-20-300.	Mr. De was working as Assistant Textile Master in the Central Weaving Institute in grade Rs. 120-20-300 from 15th June 1920. He was transferred in 1927 to Hoshiarpur Industrial School to relieve Mr. Gupta who was working there as Headmaster on the same pay.
3	Mr. T. B. Routh, Headmaster, Government Industrial School, Hoshiarpur.	Do. ..	(1) Matrio .. (2) Textile Diploma of Serampur .. (3) Second grade City and Guilds of London certificate in Weaving and Cotton Spinning.	300	300	Mr. Routh was appointed in the Industries Department as Assistant Textile Master in grade Rs. 120-20-300. When weaving schools were converted into Industrial Schools with a weaving department, the designation of these Assistant Textile Masters was changed into Headmasters and they were retained in the same grade which they were holding before. Mr. Routh happened to be one of these cases.

The Honourable Dr. Gokul Chand Narang : A list is placed on the table.

[Hon. Dr. Gokul Chand Narang.]

Serial No.	Name.	Community.	Qualifications.	Present pay.	Starting pay when first appointed to the post of the Headmaster.	Reasons for difference in the starting pay of the post.
4	Lala Rang Lal, Headmaster, Government Industrial School, Multan.	Hindu ..	(1) Metric (2) Weaving certificate of Sir Luis Dane Weaving School, Ludhiana. (3) Weaving and Hosiery certificate of Central Weaving, Lahore. (4) First class Dyeing Diploma of Government Dyeing School, Lahore. (5) Certificate in Dyeing and Bleaching from Cawnpore Cotton Mills.	Rs. 300	Rs. 200	The same as Mr. Routh's case.
5	Mr. S. A. Chatterji, Headmaster, Government Industrial School, Panipat.	Do. ..	(1) F.A. (2) First class Diploma of Serampur Weaving Institute. (3) Second class third grade weaving certificate of City and Guilds of London Institute. (4) Second grade spinning certificate of City and Guilds of London Institute.	300	220	The same as Mr. Routh's case.
6	Lala Asa Nand, Headmaster, Government Industrial School, Kulu.	Do. ..	(1) Metric (2) Diploma of Central Weaving Institute, Amritsar. (3) Diploma of Government Dyeing School, Shahdara.	92	80	This is the lowest grade in which Headmasters are now recruited.
7	Lala Hari Chand, Headmaster, Government Industrial School, Rewari.	Do. ..	(1) B.A., (2) Diploma of Central Weaving Institute, Amritsar. (3) Diploma of Government Dyeing School, Shahdara.	92	80	This is the lowest grade in which Headmasters are now recruited.
8	Bhai Lakshmi Singh, Headmaster, Government Industrial School, Rohtak.	Sikh ..	(1) Metric (2) L.M.E. (3) First Class Mechanical Engineer's certificate under the Boiler Act.	88	80	This is the lowest grade in which Headmasters are now recruited.

INDUSTRIAL SCHOOLS AND INSTITUTES.

***2398. Raja Muhammad Sarfaraz Ali Khan :** Will the Honourable Minister for Local Self-Government please state—

- (a) the date on which the industrial schools and institutes in the Punjab were provincialised ;
- (b) the number of headmasters of these institutes and schools at that time communitywise ;
- (c) how many new schools and institutes were opened by the Industries Department up to the 1st January 1933, under the control of the Inspector of Industrial Schools, Punjab ;
- (d) whether the number of Muslim headmasters remained the same or increased on the opening of these new schools and institutes ?

The Honourable Dr. Gokul Chand Narang : (a) Industrial schools were provincialised as under :—

On the 1st August 1925	..	..	7 schools.
On the 1st April 1927	..	..	1 school.
On the 1st October 1928	..	..	1 school.

No Industrial Institute has been provincialised.

(b) Muslims ..	..	..	..	5
Hindu ..	..	..	..	1

(NOTE.—The difference in the numbers of schools and headmasters is due to the amalgamation of District Board and Municipal Board Schools at the time of provincialisation).

(c) 14.

(d) 2 new Muslims were appointed as headmasters when the new schools were opened and one Muslim drawing master was promoted to headmastership and one Muslim headmaster of an industrial school was promoted to headmastership of an institute. But one of them resigned and one died. They were replaced by Christians. The headmaster who was promoted to an institute was replaced by a Sikh and one Muslim headmaster of an industrial school was transferred at his own request as second master of an institute in a higher grade. This headmaster was replaced in the school by a Hindu.

REPAIRS TO TYPEWRITERS.

***2399. Chaudhri Allah Dad Khan :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that Government has entered into an agreement with the local agents of the Underwood and Remington Typewriters for inspecting, cleaning, oiling and repairing, etc., of all machines supplied to Government offices by those companies, and that it has been made obligatory on all Government offices to entrust the repairing, etc., of typewriters to the companies concerned ; and if so, whether this arrangement is meant only for the quarterly cleaning and oiling, etc., of the machines or it also includes casual repairs which the various Government offices used to get done elsewhere at their own discretion ;

{Ch. Allah Dad Khan.]

- (b) if this arrangement also includes the casual repairs, etc., whether Government considers that this arrangement should be continued even if the casual repairs can be got done at comparatively cheaper rates elsewhere?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Yes. The agreements provide for quarterly inspections and repairs (including the fitting of necessary spare parts), cleaning, oiling, adjusting and otherwise maintaining generally in good working order the typewriters purchased from the companies concerned. This also includes casual repairs.

(b) The question of entrusting repairs to local mechanics other than those belonging to the companies concerned has already been considered by Government and it was decided not to permit this, principally in view of the fact that the companies concerned, in the event of anything going wrong with their machines, would always blame the local mechanics.

REINSTATEMENT OF SUPERINTENDENT, CRIMINAL TRIBES SETTLEMENT,
KACHA KHUH.

***2400. Chaudhri Allah Dad Khan :** Arising out of the reply to the starred question No. 786,¹ dated the 27th November 1931, of Malak Muhammad Din, will the Honourable Revenue Member please state—

- (a) whether the person referred to (Superintendent, Criminal Tribes Settlement, 19/9-R—East Kacha Khuh) has been reinstated;
- (b) whether he applied to the Home Department through the Deputy Commissioner for Criminal Tribes, Punjab, for his reinstatement;
- (c) whether in so doing he produced any order of the Kashmir Durbar in which they had withdrawn the charges against him and proved his innocence;
- (d) whether the Honourable Member will lay on the table of the House the present order of the Kashmir Durbar referred to in (c) and the relevant correspondence of the Deputy Commissioner for Criminal Tribes, Punjab, with the Home Department connected with his reinstatement?

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

(b) No. The Punjab Hindu Sabha applied to the Deputy Commissioner for Criminal Tribes, Punjab.

(c) The Secretary of the Punjab Hindu Sabha supplied a copy of the amended order of the Kashmir Durbar to the Deputy Commissioner for Criminal Tribes, Punjab. By that order, the resignation of the person referred to was accepted and the previous order removing him from service was cancelled.

(d) I am not prepared to do so.

Chaudhri Allah Dad Khan : What are the reasons for taking a man of doubtful character when a better man was available ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : We do not appoint. It was for the Society concerned to appoint.

Chaudhri Allah Dad Khan : Does not the Society get some aid from Government ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : No.

Chaudhri Allah Dad Khan : What are the responsibilities of Government in the matter ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : When Government heard that this gentleman was of doubtful antecedents, they asked the Deputy Commissioner to remove him, and he was suspended and removed, but subsequently he appealed to the Deputy Commissioner saying that the order was wrong because he had not been dismissed, but he had resigned from service. He produced a copy of an order saying that he had resigned and had not been dismissed, and therefore he could not force the Society to remove him.

Chaudhri Allah Dad Khan : In any case the Society went over the head of Government in appointing him.

The Honourable Captain Sardar Sir Sikander Hyat Khan : No.

Chaudhri Allah Dad Khan : Was the previous order of the Kashmir Durbar communicating to Government the fact of his dismissal correct or not ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : It is not for us to say whether it was correct or not.

Chaudhri Allah Dad Khan : But you should be in a position to say whether the order of the Kashmir Durbar communicating the fact of the dismissal of the man on account of his being implicated in a case of adultery was correct or not.

The Honourable Captain Sardar Sir Sikander Hyat Khan : But the subsequent order which was sent by the Kashmir Durbar or the copy of the order which was shown to the Deputy Commissioner indicated that the assertion of the applicant was correct, and that he had resigned and had not been dismissed.

Chaudhri Allah Dad Khan : You admit that the previous order which was communicated to the Punjab Government was wrong.

The Honourable Captain Sardar Sir Sikander Hyat Khan : We never received any order. We were not concerned at all.

Chaudhri Allah Dad Khan : How did you remove him then ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : An application was made to Government by somebody that he should be removed.

PETITIONS AND APPLICATIONS IN URDU AND THE INSPECTOR OF
INDUSTRIAL SCHOOLS.

***2401. Mian Nurullah :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether he will lay on the table circular letter No. 1937, dated 15th September 1926, from the Inspector of Industrial Schools, Punjab ;
- (b) on what basic principles this letter has been issued ;
- (c) whether it is a fact that Urdu is the common language of the country and the court ;
- (d) whether a majority of the persons in the Industrial Department, Punjab, is Urdu knowing ;
- (e) whether the Government will be prepared to withdraw this novel letter in the interest of the public in general and teachers employed in this department in particular ?

The Honourable Dr. Gokul Chand Narang : The honourable member's attention is invited to the answer given to question No. 2376¹.

KHARABA APPEALS.

***2402. Mian Nurullah :** Will the Honourable Member for Revenue please state—

- (a) whether a zamindar can lodge an appeal to the Executive Engineer or any other officer against the decision of *kharaba* inspected by a zilladar ;
- (b) whether it is a fact that most of the zamindars of Lyallpur district lodged appeals against the inspection of *kharaba* for *kharif* 1932 by the zilladars ;
- (c) whether it is a fact that both Superintending Engineers of East and West Circles, Lower Chenab Canal, Lyallpur, have filed most of such appeals, even though they were lodged in time, probably on the 4th December 1932 ; and the appellants have not been informed up till now about it ;
- (d) if the answer to (c) above be in the affirmative, how far they were justified in doing so ;
- (e) the action Government intends to take in this matter, and the steps to redress the grievances of the appellants ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Yes, to the Divisional Officers, or the Sub-Divisional Officer or Deputy Collector.

(b) and (c) Government has no information. It is, however, clear from the reply to (a) above that no appeal lies to the Superintending Engineer.

(d) and (e) Do not arise.

INDUSTRIAL SCHOOLS, PUNJAB.

***2403. Mian Nurullah :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether he will lay on the table circular No. 911, dated 9th February 1932, from the Inspector of Industrial Schools, Punjab;
- (b) whether the Government intends to close down any class of the industrial schools, Punjab, during the coming educational year (from 1st April 1933 to 31st March 1934);
- (c) if the answer to (b) above be in the affirmative, how long this practice will continue?

The Honourable Dr. Gokul Chand Narang: (a) A copy of the circular No. 911, dated the 9th February 1933, is laid on the table.

(b) No.

(c) Does not arise.

Circular Memo. No. 911, dated the 9th February 1933.

From—J. G. COWIE, Esq., Inspector of Industrial Schools, Punjab,

To—All Head-masters (except three Institutes).

The following books are approved as *alternative text books*, but it is not recommended to make any change at present in view of the probability of diminution of general education :—

- (1) Urdu Courses by Dr. Sir Muhammad Iqbal, M.A., Ph.D. and Hakim Ahmad Shujaa, B.A., for 5th, 6th, 7th and 8th classes.
- (2) Naya Hissab (Modern Arithmetic) by Lala Guran Ditta Mal, B.A., B.T., for 5th, 6th and 8th classes.

SANITARY CONDITION OF ZAFARWAL.

***2404. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Local Self-Government be pleased to state whether it is a fact that the condition of general cleanliness of the town of Zafarwal in the Sialkot district is very bad, and that as the financial condition of that small town committee is very poor no arrangements have been made by the Town Committee to remove the filth lying at every corner of the streets, lanes and roads and other vacant places in the town, and this state of affairs affects very badly the health of the citizens? If so, what steps does Government propose to take to improve the condition of the town in this respect?

The Honourable Dr. Gokul Chand Narang : It is a fact that there is marked uncleanness prevailing in the town of Zafarwal, but not worse than in many other places of the district. The annual income of the town committee is only Rs. 3,500 of which Rs. 936 go towards sanitation. It would be difficult for the committee to increase its income, as the prosperity of Zafarwal has greatly decreased since the removal of the tahsil. Unfortunately the cleanliness of the place must therefore depend largely on the awakening of the residents to the existing evil and a keener realisation of the importance of improved sanitation.

SANITARY CONDITION OF ZAFARWAL.

***2405. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Education be pleased to state—

(a) as to how many times during the past five years the officers of the Public Health Department of the Punjab Government have visited the town of Zafarwal in the Sialkot district, and what was their opinion or report about the general cleanliness of the town ;

(b) if no officer has during this period visited the town, reasons for the same ?

The Honourable Malik Sir Firoz Khan Noon : (a) The town was visited fifteen times in connection with measures for prevention of plague, small-pox and cholera, and the improvement of sanitation by officers of the Public Health Department. They formed the opinion that there is much room for improvement in the general cleanliness of the town, for which purpose various suggestions have been made by these officers in their inspection reports.

(b) Does not arise.

PATWARI AND THE SHAJRA OF LAND OF MAHAL ZAFARWAL.

***2406. Chaudhri Allah Dad Khan :** Will the Honourable Member for Revenue be pleased to state whether it is a fact that no copy of the *shajra* of land of Mahal Zafarwal in the Sialkot district is available with the patwari in the absence of which the patwari is unable to indicate the boundaries of land applied for by the zamindars ? If so, will the Honourable Member for Revenue kindly state reasons as to why the copy of the *shajra* is not available with the patwari and how long the mahal will remain without a *shajra* ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The patwari of Zafarwal allowed his map to become spoiled. A new *shajra* is being made, and will be completed during the current *girdawari*.

CANDIDATE EXTRA ASSISTANT COMMISSIONERS.

***2407. Chaudhri Allah Dad Khan :** (a) Will the Honourable Member for Finance be pleased to lay on the table a list of the candidate extra assistant commissioners in the Lahore division who have completed their training and have now been posted to their home districts ;

(b) whether there are any rules or orders in force to the effect that extra assistant commissioners should not be posted to their home districts ;

(c) if the answer to (b) above is in the affirmative, whether he will kindly lay on the table a copy of such rules and state why a candidate extra assistant commissioner, who was undergoing training in his home district at Sialkot, has been posted in the same district after undergoing his training, and when it is intended to transfer him from his home district ?

Mr. C. C. Garbett (Chief Secretary) : (a) Candidate extra assistant commissioners are not normally transferred from their home districts till they come permanently on to the pay roll. The number of such candidates

serving in their home districts in the Lahore division is one. He has very recently come on the pay roll.

(b) No. It is of course one of the factors considered when postings are made.

(c) Does not arise.

SUPPLY OF ARTICLES FROM JAILS TO GOVERNMENT OFFICES.

***2408. Chaudhri Allah Dad Khan :** Will the Honourable Member for Revenue be pleased to state—

(a) whether it is a fact that the Local Government has issued rules for the supply of articles from jails to offices under the Punjab Government, and that it has been made obligatory on all Government offices to obtain the articles mentioned therein from the jail factories in which they are prepared ;

(b) if so, whether these orders are binding even in cases where the articles manufactured in jail factories can be got made elsewhere at comparatively low prices, and also when they are required for immediate use and the jail factories do not undertake to comply with the order in time ?

The Honourable Captain Sardar Sir Sikander Hyat Khan :

(a) Yes.

(b) The prices of the articles manufactured in the Punjab jails have been kept down as far as possible, and compare favourably with the prices prevailing in the open market. If the articles are required quickly and the jail cannot supply within a reasonable time the indenting officer may purchase in the local market.

BANKING EXPERT, CO-OPERATIVE DEPARTMENT.

***2409. Mian Nurullah :** Will the Honourable Minister for Agriculture be pleased to state—

(a) whether it is a fact that the Banking Expert to the Co-operative Department has taken over as Registrar of that department since 2nd March ;

(b) whether it is proposed to bring the post of the banking expert under reduction ?

The Honourable Sardar Sir Jogendra Singh : If the honourable member refers to the Financial Adviser the answers are—

(a) Yes.

(b) No.

BANKING EXPERT, CO-OPERATIVE DEPARTMENT.

***2410. Mian Nurullah :** Will the Honourable Minister for Agriculture be pleased to state—

(a) for how long there has been a banking expert attached to the Department of Co-operation ;

[Mian Nurullah.]

- (b) how the finances stood when he was appointed and how they stand to-day ;
- (c) what material benefit the department has derived since his appointment ;
- (d) what special qualifications he has to hold this job ;
- (e) what it costs the Government to keep a banking expert ;
- (f) whether such advice cannot be obtained from other experienced officers of the Government when necessary ?

The Honourable Sardar Sir Jogendra Singh : (a) Since October 1928.

(b) The owned funds of central banks and unions have increased from 62½ lakhs to 96 lakhs ;

Fixed deposits from 496½ lakhs to 582 lakhs and investments from 188 lakhs to 180·7 lakhs.

(c) A great all round improvement in banking knowledge and practice amongst the staffs of all banking institutions, and a marked improvement in accounts.

(d) Twenty-five years' experience of practical commercial banking.

(e) About Rs. 80,000 per annum including staff.

(f) No.

GOVERNMENT'S DEMANDS FOR GRANTS.

GENERAL ADMINISTRATION (RESERVED).

(concluded).

Mr. President : The Council will now proceed to discuss the motion for reduction moved by Khan Bahadur Mian Muhammad Hayat Qureshi, namely—

That the grant be reduced by Rs. 1 with respect to the item of Rs. 32,200—Total Punjab Services Commission.

Khan Bahadur Mian Ahmad Yar Khan Daultana (Muhammadan Landholders) : Sir, I endorse every word said by Qureshi Sahib Qibla while moving his motion. We have got a good deal of work to do to-day, and I do not want to take up the time of the House. I have only one or two words to say in support of the motion. First of all we have neither the money to pay for our Public Services Commissioners nor have we the work to justify their appointment. There is also another thing. It is quite possible that we might have, in view of the present circumstances, to amend that Act. It would be much better if all the political advancement and all the questions connected with it are fully settled before this Commission is appointed. Personally I think there is no need for the appointment of the Commission straight-away. As far as the Ministers are concerned, I think they may welcome it. But unfortunately the financial aspect of the question stands in the way of non-official members of this House advising the appointment of the Commission. There are still rules to be framed under the Act, and I

personally would very much wish that the rules are presented to this House before the Commission is appointed. I would only repeat the request that I made to the Honourable Finance Member last time when he was pleased to give me an assurance on that behalf, and that was with regard to inclusion of family claims as one of the necessary qualifications for candidates. I am for efficiency, but an efficiency which should be all round, efficiency that is in the grain and not acquired. In a word, I feel that natural ability can amply compensate for the lack of any kind of cultivation, but no cultivation of mind can make up for the lack of natural efficiency. I hope Government will welcome this motion from the financial point of view and will not consider the question of the appointment of the Commissioners of our Public Services Commission in this financial year.

Shaikh Muhammad Sadiq [Amritsar city, Muhammadan, Urban]: Sir, I support the motion of my honourable friend. In these days there is very little money to spend on important subjects, and there is plenty of time for the Commission to be appointed hereafter, say, after a year or so. You find 20 or 30 gentlemen waiting on the extra assistant commissioners' list working without pay, and there are a number of tahsildars, naib-tahsildars, etc., working honorarily. These extra assistant commissioners, tahsildars, naib-tahsildars, etc., are waiting to be given appointments, and there is no question of selection of these officers for at least a year to come. Similarly many engineers have been removed from services on account of retrenchment, and if more engineers are wanted in future, you can employ these retrenched people. So, this cut is brought forward not simply for the sake of moving a cut, but as a real economy. I do not see what harm will be done if you wait for some time.

Chaudhri Allah Dad Khan [Ambala division, North-East, Muhammadan, Rural]: When this Act re Public Services Commission was under consideration, it was urged by several members, including myself, that the condition of the province was not such as to bear this additional expense involved in the setting up of the Commission. It was definitely stated by the Honourable Member in charge of the Bill that there was no immediate intention on the part of the Government to put the Act into operation, and that it would be put into operation at some future date when the finances of the Government were in a better condition. The ink is hardly dry on the paper before an attempt is made to set up this Commission. This is the earliest opportunity when it could be introduced. Only a few months ago we passed the Act and the Commission could not then be set up as there was no provision in the budget, and this is the first budget after the Act was passed and provision is made in this budget to set up the Commission. So the moral from this is that the promises of the Government are of no value. When they want to tide over a difficulty and when they want to meet the objections in this Council they make any number of promises, but they are slow to give effect to them. Government should have some regard for the promises given to honourable members and on the strength of which many honourable members supported that Act. Now by introducing this Commission at this time, they are violating their promises, and unless there are very special and forcible reasons for the setting up of the Commission, the Council should not vote for it. The support many of the members of this Council gave for the Act was given on the understanding that there was

[Ch. Allah Dad Khan.]

no immediate prospect of the Commission being set up. But forgetful of all the promises and hopes that were given at that time, the Commission is being set up just now. Even if the Government had given no such promise, the condition of finance at this stage is such that no Commission should be set up. There is also another reason why it should not be set up just now. The next enlarged Council is coming shortly. (*An honourable member*: Question). So we must wait till that time, and Government must take the opinion of that Council in the matter of the selection of the members of the Commission. The fact that these members are being selected now clearly shows that Government is probably afraid of the next Council, and consider it would be difficult to appoint later some particular man whom they want to appoint now. So they are hurrying up the matter. I think honourable members should be alive to this fact, and they should record—if not actually carry this motion—an emphatic protest against this sort of attitude of the Government. Government should not now keep away from their promise made in all solemnity by the Honourable Member in charge of the Bill at the time of the passing of the Act. Let it be not said that they made promises then to suit their purpose and they are not acting up to them. With these words, I support the motion under discussion.

The Honourable Sir Henry Craik (Finance Member): The honourable member who has just spoken is always ready to think the worst of the Government and to bring baseless accusations against it. He has accused me of a breach of promise I made to this House when the Bill setting up a Public Services Commission was under discussion. But my promise was there was no immediate intention of establishing the Commission, and that Government did not propose to set up a Commission until it was financially in a position to do so. Now, the Bill was passed by this House, if my recollection is right, in March 1932, that is a year ago from now. What we now propose is to set up a Public Services Commission for four months only in the ensuing financial year, that is, from the beginning of November 1933. In other words, the interval between the passing of the Act and the establishment of the Commission according to our proposals is to be one year and eight months. It is idle to assert that when a year and eight months have elapsed between the passing of the Act and the establishment of the Commission, there is any breach whatever either of the letter or the spirit of the undertaking which I gave to the House (*hear, hear*).

The legal position under the Act passed by this House is that it shall come into force on such date as the local Government may by notification appoint in this behalf, and our intention, as I have said, is to have set up the Commission with effect from the beginning of November next. We would by that time have framed rules, and we would have plenty of time to observe the provision of the Act contained in section 21 that the rules are to be published at least 20 days before the meeting of this Council, and the consideration of the rules by Government must be deferred until after the meeting of the Council next following the publication, in order to give members of the Council an opportunity of introducing a motion for discussing the rules. The arrangement we had contemplated would have given ample time for that procedure being followed, that is, publication of the rules followed by an opportunity for their discussion, in this House,

should any member desire to raise the subject. That meets the point put by my honourable friend Mian Ahmad Yar Khan that rules must be made before the Commission is appointed.

It has been argued that Government has no money to appoint this Commission, and that there is no work for the Commission to do. As regards the question of money, that is of course largely a matter of the comparative importance of the Commission and of other projects. But I did make it clear in speaking during the passage of this Act that Government thought it of primary importance that the Commission should be set up before the inauguration of the new constitution, and that that was a view, I think, which was generally accepted by the Council in order that the very thorny problem of making appointments in the public services should be before the new constitution comes into being be removed from the hands of Ministers and Members and Government generally, and entrusted to a body which would be above and outside all possible controversy. That was our object and that is still our object.

But, Sir, the position has been substantially modified by the White Paper, which was published a day or two ago, and honourable members who have studied that lengthy document must have noticed that there is a particular section of it on page 72 of the White Paper dealing with this question of public services commissions. It appears so far as one can judge from reading the White Paper that the arrangements sketched in this document are to be embodied in the Constitution Act. There is first to be set up a federal public services commission, which does not concern us, but the Act will also apparently set up in addition to the federal public services commission a provincial public services commission for each province or group of provinces. Although in outline the functions of the commission and its constitution appear to resemble to a very great extent that contemplated in our Punjab Act, there are a few rather important differences. For example, our Act states that the Commission is to consist of not more than three members. In the White Paper it is stated that the Governor will appoint the Commission, as is also provided in our Act, but he will also determine at his discretion their number. He will also determine their conditions of service, pay, allowances and pension and the question of their eligibility for other appointments under the Crown in India. Thus it appears that under the proposals contained in the White Paper several matters which are provided for in our Act are to be entirely subject to the Governor's discretion. Then again, the White Paper says that the provincial public services commission will conduct all competitive examinations for appointment to provincial services. I am not sure whether that term provincial services includes subordinate services, but our Act contemplates that our Commission should also regulate and control recruitment to the subordinate services as well as the provincial services.

There is one statement in the White Paper which is pertinent to a point made by the honourable member from Ambala. The point made was that the public services commission should not be set up till the new constitution and the enlarged Council had come into being in order that Government may be influenced by the opinion of members of the next Council. I presume he meant as to the personnel of the Commission. I think that

[The Hon. Sir Henry Craik.]

is an attitude which is altogether inconsistent with what I, at any rate, conceive to be the position of a public services commission. So far from the question of personnel being a matter in regard to which the appointing authority should be influenced by currents of contemporary political opinion, it should, I venture to think, be entirely removed from such currents (*hear, hear*), and that is why this House agreed in the Act which we passed that appointments should be made not by the Government but by the Governor personally. And that is why, I take it, in the White Paper it is provided similarly that appointments are to be made by the Governor, and it is further expressly stated that the emoluments of members of public services commissions are not to be subject to the vote of the legislature. That is to say, that His Majesty's Government contemplate a commission to be appointed by an authority entirely outside the play of current political controversy and entirely removed from the influence of the legislature, an independent and impartial body which should function in an atmosphere completely undisturbed by current controversy or political feeling.

The publication of the White Paper and the proposals of His Majesty's Government in this regard have of course introduced a very serious change in the position. The position really is that this House has passed an Act under which of course Government could take action, but which is opposed in certain important respects to a Bill which is to be presented to Parliament. In those circumstances obviously it is not possible for the Executive Government to take the action which we are authorized to take under this Act, and we shall have to do what the honourable mover of this motion wants us to do. We shall obviously have to postpone the appointment of our Commission, exactly for how long, it is impossible for me to say definitely, but clearly we cannot take any action towards the setting up of the Public Services Commission till we know exactly what are the provisions of the Bill to be presented to Parliament. If that Bill is itself to take power to set up public services commissions in the provinces, it is obvious that our Act will either have to be repealed or will automatically become a dead letter. Therefore I am prepared to accept the honourable member's proposition that the appointment of the Commission should be postponed, though I cannot say definitely that it must be postponed for a year. I am, however, prepared to accept the proposition that it shall not be appointed before the 31st of March 1934, and the provision made for it in the budget will not be spent.

Khan Bahadur Mian Muhammad Hayat Qureshi : Sir, I beg to withdraw the motion after the Honourable Finance Member's assurance.

The motion was by leave withdrawn.

Mian Nurullah (Lyallpur South, Muhammadan, Rural) (*Urdu*) :
Sir, I beg to move—

That the total grant be reduced by Re. 1.

My object is to point out the step-motherly and illegal way in which the resolution of the Small Town Committee of Toba Tek Singh has been dealt with by the Deputy Commissioner.

The Honourable Dr. Gokul Chand Narang : I think that this motion is out of order. The Deputy Commissioner seems to have nothing to do with the Executive Council nor has the Small Town Committee of Toba Tek Singh anything to do with the Executive Council.

Mian Nurullah : All the resolutions of small town committees go to the deputy commissioners who are the persons to recommend them to Government.

Shaikh Abdul Ghani : The committee might have passed many resolutions. The motion does not specify the resolution.

Mian Nurullah : I shall place it before the House. The matter is an important one touching the very root of self-government. (Urdu). The incident happened in 1928, and I think the word "had" should have been used instead of the word "has" in the note appended to the notice of the cut because that incident happened in the time of the present Deputy Commissioner's predecessor.

The Honourable Sir Henry Craik : On a point of order. This I understand is a cut moved with respect to the item of pay of deputy commissioners which is included in the total demand for General Administration. It is only in order because the pay of deputy commissioners is shown under this head. But the pay of the Deputy Commissioner, Lyallpur, is a non-voted item.

Mian Nurullah : All the cuts that I intended to move were given under the total demand, and all of them are nominal cuts. They may refer to any item under that demand, and I have not been ruled out of order. (Urdu). Toba Tek Singh is situated in my constituency and the people of that place asked me to bring this matter to the notice of the Government. The circumstances of the case I believe are very much astonishing. The Honourable Minister for local Self-Government will be surprised to hear them. (An Honourable Member : He is already surprised.) Have patience please. The facts of the case are that a driver in the employment of the Small Town Committee happened to kill a person through his negligence, and the committee had to pay the deceased's wife and legal heirs about Rs. 1,100 as compensation.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Was this compensation paid through court ?

Mian Nurullah : No, Sir, the amount was paid in consequence of the resolution passed by the committee itself. In 1928 the committee could not pass a resolution to turn him out of his job, but gave him a warning. In 1931 the committee passed a resolution unanimously removing the said driver from service. He was discharged for carelessness, and one month's salary was paid to him in advance. He thereupon preferred an appeal to the Deputy Commissioner against the decision of the committee. The appeal was kept pending for six months. Meantime the budget of the committee was passed. The pay of the driver was reduced in the budget to Rs. 35 from Rs. 70. This was sanctioned by the Deputy Commissioner. After the expiry of six months the appeal was accepted, and he was reinstated. The committee was made to pay Rs. 70 for 6 months. Again after a short trial he was removed from service for absence without leave and neglect of duty.

[Mian Nurullah.]

This time also he appealed against the decision of the committee. The appeal was kept pending in the office of the Deputy Commissioner for about nine months. The appeal was subsequently accepted, and he was reinstated for the second time with full pay for the whole period. Under the rules he had no right of appeal, and all this was illegal.

The Honourable Dr. Gokul Chand Narang : Has the honourable member got a copy of the Deputy Commissioner's order ?

Mian Nurullah: I wish I could get it and see the whole file, but nobody would allow me to do so. I think Mr. Marsden will be in a position to throw some light on this matter. I hope the Honourable Minister will pay prompt attention to this. He realises, I believe now how the treatment has been a step-motherly one. I think he will take action in the matter with a view to uphold the prestige and honour of the local bodies. 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.

Shaikh Muhammad Sadiq : I only want to say a few words on the motion. The Honourable Minister for Local Self-Government and his Secretary are always condemning the municipalities and local boards. The time has come when they have to see that their officers who are now entrusted with the proper administration of local bodies discharge their duties properly. I cannot imagine how the Government can expect the small town committee to pay nine months' pay at a time and six months' pay at another. That a driver's case should be kept pending for fifteen months is undoubtedly disgraceful. I do not know whether the Deputy Commissioner concerned placed himself at the sweet will and pleasure of the superintendent of his office, who in his turn kept the matter pending. I would urge that the money should be recovered from the Deputy Commissioner or his superintendent, whoever is at fault, if the facts as stated by my honourable friend are true. A matter of this kind ought to have taken one week or at the most one month. The time has come when the executive should see that the deputy commissioner if he wants to run these committees should run this work efficiently. Either the deputy commissioners should look into the affairs properly or else some new authority should be vested with the power which they now have. We have, I concede, nothing before us to show whether it is the deputy commissioner who is at fault or whether it is the fault of any one else. I hope my honourable friend will not press his cut, but rest satisfied with having brought the matter to the attention of Government.

The Honourable Dr. Gokul Chand Narang : I am really sorry that my honourable friend Mian Nurullah has been placed in a difficult position by his voters. He says that he went on a visit to his constituency and he was approached by them with this case. He says he was told that although the committee had taken action against a particular employee of theirs, their action was set at naught by the Deputy Commissioner. I believe this is his first grievance. The second grievance of his is that the Deputy Commissioner was not sufficiently prompt in taking action in the matter, and that on the first occasion the appeal was pending with the Deputy Commissioner for six months and in the second case for nine months.

For his satisfaction I will only say that this is the first time that I have heard any complaint regarding this matter, though the matter, as I am told, happened four years ago, in 1928. I do not know whether it is the fault of the town committee or of any of the individuals concerned or the fault of the honourable member, who I am sure has been in this Council for more than four years. I think that considering that he is usually wide-awake, prompt and active and takes such a keen interest in the debates of this Council and keeps himself in touch with his voters, he would have brought this matter if it was of any importance at all either to the notice of the executive authorities who deal with the deputy commissioners on the executive side, or he would have brought it to the notice of the local self-government department which deals with the grievances of the local bodies, against the officials as well as grievances of the public against the local bodies. It is rather strange that no one should have moved in the matter. This leads us to one conclusion, that the matter cannot have been of very great importance. Otherwise when we take into consideration the fact that even the transfer of a clerk from one office to another, of the humblest employees of Government sometimes, from one place to another, is brought to the notice of the Council and questions are framed and sometimes resolutions are tabled, I do not think that if the matter was of any great importance it should have been allowed to lie like this for so many years. There might have been some reasons for the Deputy Commissioner to interfere in the matter. That was, as I said, the first grievance of the honourable member, that the Deputy Commissioner interfered. I assure my honourable friend that I am as jealous of the prestige and honour of the local bodies as I am solicitous about their efficient working, and I personally would not like any undue interference by the executive authorities with the working of the local bodies and I am, personally speaking, as willing and ready to listen to any grievance of any local body against the executive authorities as I am willing and ready to look into any complaints made by executive authorities against the working of local bodies. If no complaints are made to me I certainly cannot be held responsible.

Mian Nurullah : The matter came to a head only about four months ago, when last time he was reinstated. The committee then considered and passed a unanimous resolution that they should send this matter up to the Commissioner. In between the acceptance of the two appeals the small town committee passed a no-confidence motion, but the Deputy Commissioner set it aside. Further the matter is probably coming up to the higher authorities through the Commissioner who happened to be in camp at the time when they put in an application. The matter was not of long standing. The first order was in 1931 and the second in 1932, and at the end he was reinstated. This is the first opportunity when I could bring the matter up.

Mr. C. C. Garbett : Sir, I rise to enquire if the motion is in order. It is obviously intended to bring prejudice to bear on a case under discussion. The case, on the honourable member's admission, is *sub judice* and is coming forward through the regular channel and my honourable friend asks us to prejudice it. This, I submit, is wholly unwarranted and irregular.

Mian Nurullah : The case is not *sub judice*. However, as the Honourable Minister has promised to look into the matter I withdraw my motion.

The motion was by leave withdrawn.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (*Urdu*): Sir, I beg to move—

That the total grant be reduced by Rs. 1.

As is clear from the note appended to the notice of this cut my object in moving it is to urge that the age limit of the new entrants to Government service be raised from 25 to 28. It is a very simple and reasonable request and I do not think it is necessary to make a long speech or advance arguments in support of it. In making this request I have particularly the case of the zamindars in view who, unlike the urban people, err, if they err at all, on the wrong side. They are so unsophisticated that they, unlike other people, never try to deceive by showing their ages less by two or three years and as I have said if they ever make a mistake, they do so on the other side. May I hope that the Government will have no hesitation in accepting this simple request? With these words I move my motion.

Mr. President : Motion is—

That the total grant be reduced by Rs. 1.

The Honourable Dr. Gokul Chand Narang : May I ask the honourable member why he has chosen the figure 28? Why not 30?

Pir Akbar Ali : I was going to propose 30, but then I took the mean between 30 and 25 and chose 28.

Mr. C. C. Garbett (Chief Secretary): Sir, Government fully realises the difficulty to which my honourable friend has drawn attention. Recruitment has been closed for a considerable period. We do not know when it will re-open, and undoubtedly hardship is accruing to those persons who are just 25 or near that age. Government has, however, with regard to this age limit, discretion in any particular case to waive it. I may tell my honourable friend frankly that if any case were to occur in which anybody prepared a forged document at the time of recruitment, no discretion would be exercised in his favour in any department—I hope my colleagues will agree with me—certainly not in any department in my control.

But with regard to the general question, without laying down any definite binding rule it is intended when recruitment reopens to deal as generously as circumstances may permit with men whose opportunities have been spoilt by this age limit. We have to think of future recruits who will then be just 25 as well as those who have passed 25. It is quite impossible at this stage, when recruitment is not still open, to lay down any rule of general application or to make any definite promise beyond this that we have discretion to waive the rule regarding age limit and that will be remembered when opportunity arises. If the honourable member will put a little confidence in Government on this point I assure him that it will not be misplaced. After hearing my speech, I hope the honourable member will withdraw his motion.

Pir Akbar Ali : After hearing the honourable member I beg leave to withdraw the amendment.

The motion was by leave withdrawn.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban) : Sir, I do not want to discuss this grant in a long speech but I simply want to bring the following fact to the attention of the Honourable Finance Member. Honorary magistrates are usually appointed in this country, so that we could have people of the country to assist in the administration of justice. Naturally there is the question of commonsense in the administration of justice so far as criminal law is concerned. But the question of honorary sub-judges is a little more difficult. Whether you appoint them first grade, second grade or third grade sub-judges, they have to deal with very intricate questions of law because there are very few books or rulings in Urdu. He does not know anything about law, if at all, he knows very little, or probably he is on the threshold of starting a new life if he is appointed a sub-judge. Some very important commercial suits have to be decided by him and I think that causes a great hardship to the public. There is 11 per cent. stamp duty and if a case is of the value of Rs. 1,000 the man has to pay Rs. 120 or Rs. 110 as court fee. He engages a lawyer, then he has to give stamp duty and the case is decided by a man who does not know English or law. The case then goes to the sessions judge where again the man has to pay stamp duty and the charges of the lawyer. Then probably the case goes to the High Court, and by the time the case is decided he has probably spent an amount equal to the value of the case. I hope the Honourable Finance Member will bear in mind these things when he next appoints sub-judges, and will see to it that the men he appoints have some knowledge of civil law and possesses some knowledge of English. I do not mean to say that they should be B.A., or M.A., LL.Bs., but what I mean is that they should be able to read English and understand English fairly well. Government should be absolutely satisfied that they appoint men who have a knowledge of law. My object is to bring this complaint before Government and to urge upon Government the necessity of appointing suitable men as sub-judges and thus remove the hardship of the lawyers and litigants who feel that they are left to the mercy of uneducated men who are the cause of so much waste of time and money.

The Honourable Sir Henry Craik (Finance Member) : Sir, the grant which the honourable member is opposing has nothing to do with the appointment of sub-judges.

Shaikh Muhammad Sadiq : The Government appoints honorary sub-judges, so the discussion can only be under the grant General Administration.

The Honourable Sir Henry Craik : The grant which he should have opposed was No. 14 dealing with the Administration of Justice, and that is a fact which the honourable member himself knows perfectly because he put down a cut on this very subject under grant No. 14. So far as I am aware General Administration contains no provision for the pay of establishment of honorary sub-judges and they are as a matter of fact included under head 14—Administration of Justice. However I am perfectly prepared to meet my honourable friend's points which I understand are that nobody should be appointed an honorary sub-judge unless he has certain educational qualifications, unless he has certain knowledge of law and unless his appointment is manifestly in the public interest. Those three things are provided for in the existing rules on the subject. No appointment as honorary

[The Hon. Sir Henry Craik.]

sub-judge is ever made except in the public interest. Government do not appoint honorary sub-judges because they think that the position will add to their influence or *izzat*. The only consideration is whether it is in the interest of public that there should be a court of an honorary sub-judge in that particular locality. Furthermore, it is laid down in the Government orders on the subject that the persons selected for appointment must be well educated in Urdu, not necessarily in English, that they must possess a certain knowledge of law and what is perhaps more important still—a thing that is occasionally deficient even in the most learned lawyers—a natural sense of justice. (*An Honourable Member* : But that is all to be judged later on.) You can form a fair opinion when you know a man's record, whether he has natural sense of justice or not. These are the qualifications laid down. Beyond that there is no definite test that a sub-judge has to pass. He has not got to pass any particular examination ; I would not agree that that would be an indispensable qualification. These appointments are made by Government on the recommendation of the High Court, and the Judges of the High Court are satisfied that the persons whom they recommend possess the necessary qualifications. I think, Sir, I have met all the points made by my honourable friend from Amritsar, and I hope that in view of what I have said and of the fact that the discussion is on the wrong grant he will withdraw it.

Shaikh Muhammad Sadiq : The discussion is not on a wrong grant.

Mr. President : The question is —

That a sum not exceeding Rs. 84,69,100 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 1934, in respect of General Administration (Reserved).

The motion was carried.

DEBT SERVICES.

The Honourable Sir Henry Craik (Finance Member) : Sir, 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 1934, in respect of Debt Services.

The motion was carried.

IRRIGATION (CAPITAL EXPENDITURE).

The Honourable Captain Sardar Sir Sikander Hyat Khan. (Revenue Member) : Sir, I beg to move—

That a sum not exceeding Rs. 18,30,200 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 1934 in respect of Irrigation (Capital Expenditure).

The motion was carried.

IRRIGATION ESTABLISHMENT, SUTLEJ VALLEY PROJECT.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Sir, I beg to move—

That a sum not exceeding Rs. 13,05,000 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 1934, in respect of Irrigation Establishment, Sutlej Valley Project.

Mr. President : The motion is—

That a sum not exceeding Rs. 13,05,000 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 1934, in respect of Irrigation Establishment, Sutlej Valley Project.

Khan Bahadur Mian Ahmad Yar Khan Daultana (Muhammadan Landholders) : Sir, I beg to move—

That the total grant be reduced by Re. 1.

As a representative of a class in which the landlords of the Nili Bar stand highly in need of representing their case to the attention of this house I feel that I should make a long speech on this motion. But there are other considerations that prevail upon me to confine my speech to one or two matters only. The first of those considerations is the consideration of the province as a whole. The second consideration is the consideration of time and the important work that the Council is anxious to do on the last day allotted to the discussion of the budget. As far as the Sutlej Valley Project is concerned, I would call it a second white elephant of the Punjab, the first being the hydro-electric scheme. If I am to discuss this question in detail, I am afraid it will take me more than half an hour to do justice to this subject. But as I am a Punjabi I feel that it does not become me now to say what I have got to say having in view the competition that the Sukkur Barrage is having with us. But there is absolutely no doubt that the conditions of the Sutlej Valley Project are not at all at par with any of the other canals in the province. I do not blame the present Government for it. I feel that our officers have tried their best to make the best use of whatever water supply we had. But unfortunately the supply is what we all know. The rates which the colonists and other people have to pay in the Nili Bar are much higher than that levied on more flourishing canals. I think it is in the interest of Government to realise that to make this scheme a profitable one will lead to a loss of what it may otherwise hope to get. I think the figures of the Sutlej Valley Project also deserve revision and that the finances of this project should be amalgamated with the finances of the province. When I was discussing the hydro-electric scheme I made a remark about the Sutlej Valley Project and what I meant by that was that irrigation is the monopoly of the Government in this province and that they should not misuse that monopoly. I feel that I need not make attempt to explain this, because I find that the Honourable Revenue Member has understood what I mean by misuse of monopoly. I appeal to the Honourable Member for Revenue and his Government to give a very serious consideration to this question and not to treat it as a minor question of administration. I would like to hear the Honourable Revenue Member first and if his reply is such that it fails to satisfy me I shall be driven to say certain things which I would like to avoid in the interests of the province. I would now confine my remarks to what I have already said and if I find that the Government are

[K. B. Mian Ahmad Yar Khan Daultana.]

prepared to give a sympathetic consideration to this problem I would close this chapter. Otherwise, I am afraid in my reply I shall have to say things which I feel should not be told.

Mr. President : Motion is—

That the total grant be reduced by Re. 1.

Mr. R. P. Hadow (Chief Engineer, Irrigation) : Sir, this is the second time that the honourable mover of the reduction motion has described a piece of work as a white elephant. No doubt the honourable member is a very good judge of elephants but I think he is as wide of the mark in describing the Sutlej Valley Project a white elephant as he was when he so described the hydro-electric scheme. I certainly expected something more from the honourable mover in the way of figures and facts. He merely stated that there was a short supply of water on the Sutlej Valley Canals. That to me is not convincing. I will attempt to give him some figures and facts. As a matter of fact it is within my knowledge that he has already received them as the representative of the Nili Bar Association. He evidently does not want to use them.

Now, the *rabi* water supply of the Sutlej Valley Project was calculated in the project on an average of 6,500 cusecs. I am very sorry to go into figures, but since the honourable member did not give any I have to explain them to the best of my ability. During the twelve years since 1920 the average discharge of the Sutlej river at the time of sowing has been 7,524 cusecs. That, you will notice is considerably more than the project figure. On the other hand, the average of the Sutlej river at the time of maturing of crops is 6,052 cusecs, that is, a little less. The average discharge for the last twelve years of the project has been practically as was estimated in April, but rather short in May. On the other hand in October it has been very largely in excess of the project figure. So much for the actual "short" supply. The honourable member will no doubt ask, what about 1932 ? During these twelve years the supply on the Sutlej has been six times more than the project figure and six times less. Unfortunately, the years when this supply has been less than the project figures have been recent ones. I think it is very unfair to judge the working of a canal from the figures of one or two years. The honourable mover of this cut was probably not old enough to have taken an intelligent interest at the time when other colonies were formed. My own recollection takes me back to what is now the Lower Jhelum Canal where I served within a year or two after it was opened ; there were very great difficulties and irrigation progressed very slowly. I have not got the figures on hand at present, but I may assure the honourable member that that was so. I may indicate the measure of this slowness by explaining that during the *rabi* of last year, the number of acres irrigated per cusec in the Nili Bar was 163. But, for other canals in the province the acres irrigated per cusec is more than 200. To put it in another way, taking a thousand cusec-days as a unit of supply, the Lower Bari Doab Canal has done 1,754 acres in its last *rabi* and the Pakpattan Canal has done 1,017 only. The whole canal reaches its full efficiency, or turns out very good figures, after a number of years, probably after ten years. The honourable member may say that that is no consolation to him. But that is the past

history of such canals. I take the nearest canal to the Nili Bar, that is the Lower Bari Doab Canal, where the intensity of irrigation is 70 per cent. against an intensity of 60 per cent. on the part of the Pakpattan Canal. In the third year after the Lower Bari Doab Canal was opened only 27 per cent of the permissible area was irrigated ; on the Pakpattan Canal 37 per cent. was irrigated, that is to say, the Nili Bar was irrigated quicker than the Montgomery Bar. In the next year, the fourth year, the figures are 51 and 63 per cent. In the fifth year 62 and 69 per cent. In every year up till the fifth year the Nili Bar did better than the Lower Bari Doab Canal. In the sixth year the Lower Bari Doab Canal did 67 per cent. Thereafter the Lower Bari Doab Canal figures rose to 86 and 90 per cent. This is a clear indication that every new canal is of slow growth. Irrigation expands only gradually. It is perfectly futile to expect 100 per cent. on the Nili Bar in the first year or even by the tenth year.

Now, I turn to the *kharij* channels which the honourable mover never mentioned. In 1932, which was possibly the worst year on record in the Sutlej river, the first channel opened on the 1st May and the last on 16th June. In the past the Lower Sutlej Canal, which is now known as the Mailsi Canal, I find on an average between the years 1910 and 1925 opened on 12th May so that there is no very great difference. But when it opened, it only just opened on 12th May and its capacity was not fifty per cent. till the 14th of June. It closed on an average date of 29th September with 50 per cent. supply, so the only period during which it got a good supply was from the middle of June until the end of September. I have taken the trouble to look up some bad years in the past for comparison, 1904, 1907, 1918 and 1925, and I find that generally speaking these canals opened in these bad years in the middle of May and closed towards the end of September. The lowest discharge in those bad years was 8,000 cusecs at Ferozepore. In 1932 the discharge at Ferozepore was 4,000 cusecs. Now, does the honourable member think that if the headworks had not existed as they do now those canals would have opened between 1st May and 16th June ? I assure him that they would have been lucky if they were opened even in July. That is the result of those head works on the inundation canals. Now taking the Grey canals, which are now the Eastern canals, the average date of opening between 1916 and 1925 is the 6th June. In the bad year of 1932 they have opened on the 18th May, so that they opened at least 6 weeks earlier in a bad year than they did in the average in the past. That is what the honourable mover calls a poor supply or a " short supply ". I should call it a very " long " one. At the same time it is necessary to remind the honourable members that the Sutlej Valley Project was not supposed greatly to increase the amount of irrigation done on the old inundation canals. Certainly it was supposed to bring in fresh areas. But its major intention was to make sure as far as water was available that they would get supplies quicker than they had been in the past and they would get them longer. I have already shown that they get water when they were never getting any at all before and I can indicate that they get longer. In fact before they close on the 15th October they are given prior rights to the water over perennial canals. That is to say, the last rotation on the Sutlej Valley Project canals at the beginning of October goes to the non-perennial canals. Therefore they are absolutely certain of their water.

[Mr. R. P. Hadow].

It will be interesting to honourable members of this House to compare the year 1932, on which most of these complaints are based, with previous years. The principal shortage of water occurred at the maturing time of *rabi* 1931-32 and the early *kharif* sowing in that year. In the first 10 days of April the discharge at Ferozepore was only 3,268 as compared with an average of very nearly 6,000 in past years. In the first 10 days of May the discharge had only risen to 3,425 as compared with the discharge of something like 9,000 in previous years and at the end of May the discharge was still only 4,605. Those figures, I think, indicate, what a very bad year 1932 was, and how wrong it is to judge the value of the Sutlej Valley Project and the Nili Bar over inundation canals from that one bad year. As I have already pointed out, had that bad year occurred before the Sutlej Valley Project canals had been constructed, they would probably have got no water until the last week of June or the beginning of July. I hope I have indicated to the honourable member and supplied him with figures, which he omitted to give us, and which go to disprove his claim of shortage of water on the Sutlej Valley Project.

Mr. Owen Roberts (Non-official, nominated): I am very diffident to trust myself into this subject on which I am very unqualified to express an opinion. But while I have listened with very great interest the explanations given by the Head of the Irrigation Department, I cannot help feeling that all is not as well as it appears to be. I understand that Government has had to modify the conditions under which the colonists entered into possession of the land connected with the project and it has been brought to my notice that there is a suggestion abroad that the colonists have not carried out their terms of the agreement with Government. I understand that what really has happened is that there has been a revision of the terms and modified agreements have been entered into. I do not know what the actual details are and I have not had the time to go into them. But I should be very grateful if Government would make a statement on the subject during this debate and clear up the point, as I understand a certain amount of uneasiness has also been caused by a reference to the matter in the budget speech of the Honourable Finance Member.

Shaikh Abdul Ghani (West Punjab Towns, Muhammadan, Urban): Sir, we are all grateful to the honourable the Chief Engineer for supplying us with facts and figures as to the actual working of the Sutlej Valley Project and he has, I think, been to a certain extent successful in proving that the flow now is more regular and there is improvement year by year in the actual supply of water to the agriculturists. But so far as I understand the honourable mover of this motion, his chief point was not that there was a shortage of the supply of water but I think he made out a case for asking the Government to reduce the rates for the water supplied. That is the point which has not been noticed by the Chief Engineer and he has totally ignored it. If I am right this is a very important matter to which we expect a definite reply from the Government representative. It is not only with respect to this particular canal that the agriculturists or those who get the supply of water from the Government find it very hard to get on as before, it is all over in the Punjab that the price of the water supplied bears no comparison with the present rates and if it is actually interpreted into its

money value the supply outweighs its value several times. When the rates were very high, when the produce was very satisfactory, of course there was some justification for putting such a big price upon the value of water supplied. But now-a-days when everything has gone up, Government is adamant. Complaints are being made, representations are being made; their own officers are writing strongly on the point urging the Government to do something and yet the Government stands still and gets their quota every year. They have got an agency by means of which they are in a position to successfully collect their water rates. But it is working hard on the man who gets the supply of water. It is only just and reasonable that this matter should be thoroughly gone into and I request the Honourable Revenue Member who is one of us and who is in touch daily with the zamindars just to realise the awkward situation in which they are and to appoint some commission or committee to go thoroughly into this question and prepare a revised list of rates not only for the area under the Sutlej Valley Project but for all the canals in the province. (*Hear, hear.*) With these remarks I request the Government kindly to enlighten us on the point, whether they are in a position to meet the point raised by the honourable mover, viz., that the rates are too excessive and whether there is any hope of reduction of water rates at some early date.

Pir Akbar Ali [Ferozepore, Muhammadan, Rural] (*Urdu*): Sir, the proposal at present under discussion is very important and requires the immediate attention of the Government. At the time when the Sutlej Valley Project was started the circumstances were different from those prevalent at the present time. At that time the prices of commodities were very high and at the same time the zamindars thought that the water supply will continue to remain the same and no new circumstances would arise to effect a reduction in it. They also thought that the water will be supplied to their lands regularly and for longer periods. At the time the Sutlej Valley Project was started and agreement with the Bikaner State was made to supply water to it, the interests of the people of the province were ignored. The idea that our own lands will suffer from scarcity of water never occurred to the authorities. I being the representative of the Ferozepore district, know how much the zamindars are made to suffer on account of this Sutlej Valley Project by which water is supplied to the Bikaner State. All canals of this project pass through that district and the whole project is constructed at Ferozepore. I know the state of affairs which prevailed before this project was constructed and that which came to existence after it was completed. The zamindars firmly believe that if the present state of affairs continued they are sure to be irretrievably ruined within the coming ten years. The water rates which prevail in the Zira tahsil of the Ferozepore district and also in some parts of the Ferozepore tahsil where Grey canals run as compared with the water rates which are levied on lands to which water is supplied from the Sutlej Valley Project are far more advantageous for the zamindars. Since the time this new project has come into being not only the water-supply has been reduced but also the zamindars expenditure which they have to incur on account of the staff of this project has increased. The rates which are charged from the zamindars of the colonies or on the lands commanded by the old canals have been levied on the Sutlej Valley Project canals. They are too excessive

[Pir Akbar Ali.]

and it is unfair to charge them from the zamindars of the Ferozepore district. The zamindars are not supplied water regularly and then also the quantity of the water supplied has been reduced. Consequently the yield from the land has become less. The lands which were previously supplied with more water became accustomed to get more water in order to yield a good crop. Now those lands are watered with smaller quantity of water. Consequently the yield has decreased. Now what happens is this that by the time water is supplied to the second end of the patch of land sown the first end is dried up. Perhaps the lands might change their habit of getting more water after some years but at present they require more water and by the time they change their habit the zamindars will be ruined. The Government ought to have levied some lower rates of *abiana* in order that the zamindars may be saved from the impending disaster. The area through which the Sutlej Valley Project is passing is sure to suffer loss on account of the very high rates of *abiana*. The zamindars of this area will surely be ruined within the coming 10 years. (*An Honourable Member*: I hope not.) I base my inference on facts. The Government is optimistic about the future of this tract without any reason. They hope that things will have a turn for the better without taking the trouble of doing anything. The Government should not expect that good results will follow of themselves without any effort on their part. The Government should strive to save the zamindars from the impending ruin. Instead of helping the zamindars the Government sends instructions to the zilladars to see that the area commanded by these canals is not decreased. I am continuously given to understand that such instructions are actually issued by the Government although the Government always deny having issued them. I am forced to believe them for people ceaselessly tell me that they are issued and the zilladars are forced to see that the commanded area at the present time is not reduced.

The Honourable Captain Sardar Sir Sikander Hyat Khan : We have issued no such instructions. If the honourable member could bring one such instance to the notice of the Government, the Government would be in a position to make enquiries about their truth.

Pir Akbar Ali : I simply want to draw the attention of the Government to this matter. At present I have got no time to enter upon a discussion of this matter. If the Government were sympathetically disposed towards the zamindars they would have made enquiries of their own accord and would have gone to these tracts to see things with their own eyes. The only way to help the zamindars is that the Government should reduce the water-rates and give *kharaba* on a generous and equitable scale. The Government if they really want to help the zamindars should supply the water to them regularly and for longer periods. Now what has been done cannot be undone. They agreed to give water to the Bikaner State. Now they cannot refuse to carry out the terms of their contract. But they can reduce the water-rates of the zamindars of their own province. The agreement to supply water to the Bikaner State was a mistake and now it is not in the power of the Government to make amends for it. On account of this mistake the zamindars have been made to suffer a good deal of loss. It is the duty of the Government to help them in another way and it is by reducing the water rates. This they can do.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) : Sir, I was glad to listen to the speech of my honourable friend from Multan representing the Muslim landholders. He has got first hand knowledge of the Sutlej Valley Project and the conditions prevailing in that part of the province. Unfortunately as my friend from Ferozepore put it, zamindars always gamble, and personally I think that their troubles, particularly in that part of the world, are largely due to this irresistible gambling instinct. In the beginning when lands were on temporary cultivation and the colony was in its infancy, there was plenty of water available and these lands received more water than they were entitled to. Now that practically the whole of the culturable area has been brought under cultivation it would be futile to expect that they could continue to get the same amount as they got originally. This has happened in the case of every project and not only in the Nili Bar Colony. They cannot possibly expect to get more water, at the expense of other people, so long as they receive their *haq*. My honourable colleague the Chief Engineer has cited facts and figures which convincingly prove that the intensity has been improving as conditions are becoming more settled. He has also made it clear that you cannot possibly expect hundred per cent success in a project of this kind from the very outset. We must wait and allow conditions to get established before passing final judgment on a project of this magnitude. Even in the Lyallpur colony, which is one of our best colonies, people were sceptical about its success, in the beginning so much so that I remember the instance of a headmaster of a primary school who was offered 5 squares of land, but refused the offer as he considered that the bargain would be unprofitable.

Shaikh Abdul Ghani : When was that ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : In the early years of colonization. In the Jhang district also I know of cases where people had refused to take water. They argued that when the Moghul Emperors had not been able to undertake irrigation of these tracts, how can these Englishmen succeed in doing so ? These very people now come to me and ask me to give them half a-square on the Burala extension or elsewhere, persons who had refused 20 and 25 squares on the Lower Chenab Canal. They have now come to realise, but when it is too late for them to benefit from their experience, that after all the management of these colonies and the conditions prevalent in these colonies are not so bad as a stranger to the province might perhaps be led to believe. After hearing the exaggerated and untenable criticism which invariably forms the theme of speeches made from the benches opposite.

Reverting to the Sutlej Valley Project my honourable friend from Ferozepore mentioned that the rates of *abiana* when the project was prepared were fixed high. This project as you are aware, was approved by this House. I might remind my honourable friend from Multan, who was a member of the first Council that the matter came up before this Council when its approval was sought regarding grant of a loan to the Bahawalpur Durbar. This liability was subsequently taken over by the Government of India and it was not necessary for this province to advance the money. These rates when they were fixed were not considered high then because the prices of

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agricultural commodities at the time were such that no zamindar worried about rates. The present economic depression has, however, affected a change in their attitude, and I do not blame them for it. But for this present economic depression the zamindars would not have complained about these rates even now. However, I may be allowed to point out that this project may not have matured at all, if the rates had been fixed lower than what they are at present. Every project, as you know, has to receive the sanction of the Government of India and of the Secretary of State. It has not only to be vetted by engineers and technical experts but it has also to be carefully examined and scrutinized by financial experts so as to make sure that the financial aspect of the project is also sound and the results are beneficial. This project would not have been a productive one, or at any rate productive to the extent estimated in the project, if the rates had been kept lower than what they are. At that time prices were high, and *abiana* rates in other colonies were considered to be reasonable and suitable basis for fixing the rates on the Sutlej Valley canals. As I have said if lower figures had been taken the project would not have been a productive one and may not have received the sanction of the Secretary of State, and the vast tract which is now a smiling and fertile stretch of green from one end to the other would still have been a desolate desert. The honourable member from Ferozepore said that officers do not visit that part of the world and, therefore, they cannot correctly gauge the condition of people there. My honourable friend from Multan will I hope contradict him. I have had the privilege of enjoying his hospitality twice during the past three years when I went through that colony from one end to the other. He accompanied me on the return journey and was no less struck than myself with the beautiful, green and fresh fields of wheat throughout the Nili Bar which compared favourably with that on the Upper Bari Doab Colony, a portion of which we had to pass on our way back to Lahore.

Pir Akbar Ali : Is Ferozepore a sub-tahsil of the Multan division?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I am referring to the perennial canals. But I must also explain in fairness to the zamindars whom I met on the way when I passed through that area, that

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they did not complain of shortage of water and said that there is no difficulty until about the end of March or April. They suggested that I should visit Nili Bar again early in April and see the condition of crops then. They complained that the shortage invariably occurred early in April just at the time when the wheat is at the milking stage. The grain shrivels up in consequence, and what should normally have been a bumper crop usually turns out to be a poor one. I promised them that if I get time I would pay them a visit early in April even if I have to come out just for a day. I propose to redeem my promise if I am free in time from Council work to do so.

So far as the reduction of *abiana* is concerned, I am sure the honourable member from Ferozepore will not want me or the Government to isolate the Sutlej Valley Canals from the rest of the canals. (Shaikh Abdul Ghani :

That is what I suggested). I thank the honourable member. They should not be isolated because the result of doing that would be to shift the burden on to the rest of the province. I have been repeatedly trying to explain to the honourable members that canals are the property of the people of this province. They are the shareholders and Government is merely in the position of a managing agent. If we were to reduce the rates on the Sutlej Valley Project Canals they would become even less remunerative and the burden will have to be borne by the rest of the province. Honourable members will concede that it would be unfair to shift this burden from the comparatively more affluent irrigated areas on to the poorer zamindars of the *barani* areas. I do not for a moment mean that the *barani* areas should for selfish reasons withhold their sympathy; and I am sure that they have every sympathy for these more fortunate compatriots of the *nehri* areas in their difficulties. I can assure them of this sympathy as I myself belong to a *barani* district. But I am equally certain that honourable members from the colony areas do not desire that this burden should be transferred to their poorer brethren in the *barani* tracts. No one in this House, I am sure, doubts or can doubt the sympathy of Government towards the zamindar. I am personally looking into the question of *abiana* carefully. All that I want to impress on honourable members at present is that they should realize that the whole question of the Sutlej Valley Project is at the moment under consideration. Bahawalpur Darbar has made a representation to the Government of India, which is now being examined by our experts. It would be extremely unfortunate if exaggerated and irresponsible statements are made in this House at a time when this matter is still pending. The honourable mover very wisely began by saying that he would refrain from making any remarks which might embarrass the Government. But unfortunately the speakers who followed him have not kept this consideration in view. I trust that the honourable mover if he wants to exercise his right of reply will keep this important consideration prominently in view, because it is conceivable that our case may be prejudiced by irresponsible and exaggerated statements made in this House. We are all aware of the shortage in rivers, we are also aware this shortage was last year exceptional and not normal. Even the Chenab *nazar* showed an unprecedented drop which has never been witnessed before. So far as the allocation of water to Bikaner is concerned, this question was settled by the Government of India. The Punjab Government had no jurisdiction in the matter. It was the central Government who decided the matter eventually and came to the conclusion that Bikaner was entitled to get a share and that is why Bikaner has been given water. So neither the present nor the past Governments of this province can be blamed for Bikaner's being made a shareholder in the scheme. As I have said we have been carefully considering the position of the Nili Bar colonists and people who own land in that area.

So far as the question of *abiana* is concerned, I am afraid that I cannot possibly say anything on that subject at present, because a separate resolution regarding this question has been tabled, and when it comes up for discussion in this House I hope to be able to say something more definite. But I am sure my friend, the honourable member from Luddan will be pleased to learn that Government has decided in view of the difficulties of the zamindars in that part of the province to charge for another two harvests *malikana*.

[The Hon. Capt. Sardar Sir Sikander Hyat Khan.]

on matured area only and at half the existing rates. That is to say, on perennial canals they will have to pay Rs. 1-8-0 on matured area instead of Rs. 8 per acre on the allotted area, and on the non-perennial canals, twelve annas per matured acre instead of Re. 1-8-0 per allotted acre. This will mean a big loss to Government but in view of the difficulties of the people in that part of the province we have come to the deliberate conclusion that it is necessary to give them some relief and we consider that relief in the shape of reduction in *malikana* on the scale mentioned by me will be sufficient to tide them over their present difficulties. As regards the general question of reduction in *abiana*, I have already said that we should not anticipate the discussion on the specific resolution standing in the name of at least two honourable members. I hope to be in a position to explain the attitude of Government in this matter when we come to that resolution.

Khan Bahadur Mian Muhammad Hayat Qureshi [Shahpur West, Muhammadan, Rural] (*Urdu*): Sir, I had practically no intention of speaking on this cut but after hearing the speech of the Honourable the Revenue Member I propose to make a few observations. He has been pleased to remark that since the zamindars get a totally insufficient supply of water they adopt a gamblers' attitude and cultivate much more land than they are entitled to do as a matter of right. I admit that they do so but we have to find the reason of their so doing. The reason is not far to seek. The zamindars who have small pieces of land at their disposal cannot but resort to this type of gambling. They have in most places the *haq* to the extent of 80 or 40 per cent. During summer they can avail of only one-third of their *haq* and can cultivate 10 or 18 per cent. of their holdings. If they do not cultivate more than *haq*, how can they make allowances for fodder and other crops?

The Honourable Captain Sardar Sir Sikander Hyat Khan : *Haq* to the extent of 10 per cent. is nowhere fixed on the Sutlej Valley Project.

Khan Bahadur Mian Muhammad Hayat Qureshi : Yes, there it is fixed at 60 per cent. But the zamindar who possesses only half a square of land cannot help cultivating 20 per cent. of his holding in *kharif*. Paying due consideration to his diverse obligations with respect to *abiana*, land revenue and *malikana* one can reasonably account for the gambling spirit displayed in cultivating more land than he is privileged to cultivate. And if, on the other hand, the zamindar were to give up this spirit of gambling the Government will lose a considerable portion of their land revenue and *abiana* charges. So, I would urge that the Government should take a very liberal view of this tendency of the zamindars towards cultivating larger areas than he has the right to cultivate. I assure them that they will not lose anything by helping the zamindar in this way but, on the other hand, will augment their own income. For the time being I need not say anything else. When the resolutions about *abiana* and other zamindara dues come up for discussion I shall take an opportunity to say a few things more. With these words, Sir, I resume my seat.

Khan Bahadur Mian Ahmad Yar Khan Daultana : Unfortunately and perhaps not wisely the Chief Engineer has driven me to say things about

the Nili Bar which I avoided when I first spoke. The Chief Engineer has given us very good figures for *rabi* sowing. I do not know whether he referred to the figures, at any rate I did not hear him mention them, in regard to the cotton crop. About the supply of water I said that I was not blaming the Government. It was all that could be desired. But you cannot make a very poor supply look efficient. Everybody in the Nili Bar feels that by having the weir controlled supply, as a rule, water is not got earlier than when we used to get it when we had the inundation canals. And if you study the dates when the people of Nili Bar had their first supply of water for the sowing of cotton and compare those dates with the figures for the inundation canals, I assure you that you will not find a great difference. And yet the dues which the zamindars have to pay are more than double.

Mr. R. P. Hadow : Sir, I quoted facts and figures which the honourable member is simply denying.

Khan Bahadur Mian Ahmad Yar Khan Daultana : I am not an engineer nor an expert on irrigation, and I must admit that all the facts and figures which are supplied to us in respect of the Nili Bar are, as a matter of fact, different and do not fit in with the actual condition that exists in the area. This is not only my opinion, but the opinion of every one there. The canals might have been opened on the dates specified by the Chief Engineer but on the other hand my information is not the same as his. *(Interruption)*. Anyhow, the Chief Engineer said that the conditions of irrigation in the Nili Bar are much better than they used to be before.

Mr. R. P. Hadow : I said nothing of the kind. All I said was.—

Mr. Muhammad Din Malak : Sir, personal explanations should not be allowed. The Chief Engineer is interrupting repeatedly.

Mr. President : A personal explanation is certainly permissible, and the proper time for it is at the conclusion of the speech which calls for it. But in common practice a member desiring to offer a personal explanation rises immediately after the statement, requiring explanation, is made; and if the member in possession of the House gives way and resumes his seat, the explanation may be made at once; but if the member who is speaking declines to give way, the explanation is generally made at the conclusion of the speech or at a subsequent stage.

Khan Bahadur Mian Ahmad Yar Khan Daultana : Sir, I may tell you that in many of the Government canal colonies the level of water since the introduction of new canals has usually gone up, but if you take the facts and figures of the Nili Bar you will find that the level of the water in the Nili Bar is not going up but is going down and going down very considerably and we have to spend scores of rupees on each well to make it going. *(An Honourable Member :* Then it would not be waterlogging). I know the danger in the cases where water level goes up. I mean the danger from waterlogging, but in the Nili Bar if you make enquiries you will find that the level of water is going so low that one cannot think of it without anxiety. The Revenue Member has said that the canals are the concern of the people of this province and that the Government are only managing directors. It may be so, but our managing directors have got several other concerns that they want

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to flourish from this source of irrigation and for this reason we find that they are not managing directors in the true sense of the word. The canal department deserves our congratulation for wonderful retrenchment of several lakhs annually but if it was a business concern there would have been substantial reductions in water rates paid by the share-holders. This failure shows that it is not a proper business concern. I have already said that in the Irrigation Department the Government has no competition as they will have in the case of the hydro-electric scheme, and it will be very unfair for them to make the people pay for their own sins. I have used the word 'sins' because I mean that the money that Government spent on the construction of the Sutlej Valley Project was not spent with care and with economy, and it is very unfair to make the people of a particular area suffer for the faults of others. Government claim that they have reduced the *malikana* by half.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Not one-half, but much more than one-half. It was Rs. 3 per acre on allotted area, but now it will be Re. 1-8-0 on matured area, which is much more than half.

Khan Bahadur Mian Ahmad Yar Khan Daultana : But I have not been able to understand the rate of *malikana*.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Originally in the Nili Bar the *malikana* was Rs. 3 per allotted acre. That means that if you had 100 acres of land and you only had 60 acres irrigated you had to pay *malikana* for the whole hundred acres and not for sixty acres. Now we have decided to ask you to pay on matured area only. If you have 50 acres of matured area we will ask you to pay on 50 acres only and even then not at Rs. 3 per acre but at Rs. 1-8-0 per acre.

Shaikh Abdul Ghani : But is not that with respect to your tenants alone ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : All colonists are tenants in the beginning.

Khan Bahadur Mian Ahmad Yar Khan Daultana : I have not been able to understand what the Honourable Revenue Member has tried to make very clear. It is a fact that the people on the Nili Bar are now paying *malikana* on matured area instead of on allotted area but the rates will be same as paid by us last year.

The Honourable Captain Sardar Sir Sikander Hyat Khan : We gave that concession for the last two harvests, we have now extended that concession for another two harvests.

Khan Bahadur Mian Ahmad Yar Khan Daultana : As far as I know the people used to pay Rs. 1-8-0 on allotted area and they are now going to pay Rs. 1-8-0 on matured area.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Never. There was some mistake last year which I might explain to the honourable member. The mistake was this. Government issued orders that *malikana* was to be charged on matured area only. The local officers made a mistake. Instead of charging full *malikana* on matured area which was Rs. 3, they

split it up into two instalments of Rs. 1-8-0, which was of course wrong (*interruption*). Now if you pay on matured area at half the rate originally fixed for allotted area you will be getting a much bigger concession, you will be paying approximately one-fourth of the previous amount, not half. That mistake has cost the Government a considerable amount of money. But we have not pressed for realization of the amount, which was remitted by mistake.

Khan Bahadur Mian Ahmad Yar Khan Daultana : I am afraid not. What I have been able to understand is this, that at whatever rate the *malikana* was paid, by mistake the Government has now agreed to levy the same rate.

The Honourable Captain Sardar Sir Sikander Hyat Khan : We are now going to charge instead of Rs. 3 per allotted acre only Rs. 1-8-0 on matured acre.

Khan Bahadur Mian Ahmad Yar Khan Daultana : It comes to this that the people of the Nili Bar paid during the last harvest whether by mistake or otherwise double the amount, which they were paying before.

The Honourable Captain Sardar Sir Sikander Hyat Khan : No.

Khan Bahadur Mian Ahmad Yar Khan Daultana : Any how I will try to understand or make the Government understand this question of *malikana* outside this House. As far as I have been able to understand, the condition in the Nili Bar will be "as you were", and that the people of the Nili Bar will pay the same that they used to pay whether on account of a mistake or otherwise. Now, Sir, in the end I would like to appeal to the Government not to have the policy of two and two make four in the Nili Bar. The policy of two and two make four is a very sound policy, but as far as the Nili Bar is concerned, the province unfortunately spent such a huge sum of money that it would be impossible to try to make it a profitable concern. I assure Government that they would not get even what they might get otherwise and those people who in order to justify Government and the scheme financially are trying or have tried in the past to adjust figures so as to make it a profitable concern, have neither been nor are they the friends of this province but the enemies of this province and I hope that time will not come when they may have to repent for their action. Please find out what produce goes to *mundis* after deducting the quantity required for local consumption and you will find that the Canal Department's figures are not only incorrect but misleading. They mislead the Government and make zamindars pay not for actual irrigation but a thin sprinkling of water. Let any other department of Government be made responsible for the preparation of figures and you will find a huge difference.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Sir, I merely want to refer to one or two points raised in the speeches made after I last spoke. My honourable friend from Shahpur said that Government should countenance gambling by zamindars. I agree with him that the zamindars in his part of the world, the Lower Jhelum Canal, are justified, to some extent, in gambling. They do not run the same risk for the reason that rainfall there is much greater than in the Nili Bar. But if you can gamble in Shahpur or on the banks of the Jhelum where the

[The Hon. Capt. Sardar Sikander Hyat Khan.]

annual rainfall is 80 inches or more, you cannot reasonably adopt similar tactics, say in the Sind desert or Dera Ghazi Khan where there is no rainfall worth the name. Therefore people who follow the example of the Jhelum colonists in Dera Ghazi Khan or in the Nili Bar have themselves to blame if their gamble fails to succeed. You can gamble on the Jhelum canal because if you sow 40 acres instead of 10 acres, and you get rain in time all the 40 acres will mature. But you cannot hope for the same result in the Nili Bar. If colonists from Jhelum, Attock, Shahpur and Sialkot made the mistake of ignoring this important factor, they must have realised their mistake by now. They cannot take the same risks in the Nili Bar as in some other parts of the province which I have just mentioned.

There was one other point which the honourable member for Shahpur raised and that was that if the gamble was a success the Government gained, as a bigger amount went into the coffers of the Government. But he forgot that there is another side of the picture. If a bigger area is sown and if the rain does not come in time, the whole area fails and Government gets nothing at all. So his argument cuts both ways.

I again appeal to honourable members not to exaggerate the difficulties of the Sutlej Valley Colonists. There is a danger of these speeches being misconstrued by those who are not conversant with facts.

I will now quote a few figures which will show that the conditions are after all not so bad in the Nili Bar as the honourable members have tried to depict. Let me give you a few of the latest figures of rents for temporary cultivation. You know we have had three consecutive years of reduced prices and general economic depression. We have also had, as you are aware, to face a serious shortage of supplies in our rivers during this period. Unfortunately, reduced prices and low supplies in the rivers synchronised. You cannot imagine worse conditions than these and the tenders which we have accepted were made in the full knowledge of these conditions. I will now quote some figures to show that the Sutlej Valley Project is by no means a white elephant as some people would like us to believe. These figures clearly indicate that the project is going to be a success, perhaps a bigger success than we expected it to be. So far as big lots are concerned, lots of over a thousand or two thousand acres, we find that we have accepted bids of Rs. 18-4-0 per acre. And that is not the highest bid. We have received bids for Rs. 20-4-0, Rs. 21-8-0, Rs. 22-4-0 and Rs. 22-8-0 per acre. (*An Honourable Member* : That is mere gamble.) These gentlemen are not ignorant yokels. They are experienced zamindars. Some of them have been in this colony for many years now.

Now, let me take smaller lots. (*Interruption*). Yes, these also are for temporary cultivation. Coming to smaller lots, that is, of 100 acres and more, we have received tenders of Rs. 28 per acre and more. (*Pir Akbar Ali* : Has the Honourable Member himself got tenants in his estate paying more than Rs. 5 an acres?) I have no land in the Nili Bar. In another case, Rs. 27 per acre were offered for a small lot of 68 acres. In another case an offer of Rs. 30-4-0 per acre was made for a lot of about 2½ or 3 rectangles. (*An honourable member* : Do you hope to realise the amount ?) We have taken cash security in each case. For every lot, we have had dozens

of bidders. In the face of these figures you cannot possibly expect the Government to believe that cultivation in the Sutlej Valley Project Colony is not a profitable concern. But we are not unmindful of the difficulties of the people and have given them large concessions. The honourable mover tried to evade the issue by trying to make this House believe that the concessions were not substantial. (*An honourable member* : What is the period of lease ?) They are for two years, three years and four years. In view of these difficulties of the zamindars Government does not grudge them these concessions. I may also inform the honourable member that revised estimates of this project are under preparation now, and we will carefully examine them when they are ready. But for the present, I am afraid that it would be difficult for any body to convince me, in view of these figures, that the Sutlej Valley Project is a losing concern. It is possible that some absentee landlords who do not visit their lands and leave things to unscrupulous agents may not be getting a fair return from their lands. That is possible but it does not mean that these properties are not capable of giving a bigger return.

With regard to cotton also, I can assure the honourable member that factory returns do not indicate any very big drop. There was bound to be a drop on account of slump in prices and the zamindars have for this reason restricted and to my mind wisely restricted the area under cotton. At the same time you will be interested to know that the area under sugarcane has gone up throughout the province. I suggested last year that the area under sugarcane should be increased and I am gratified to find that the area under sugarcane has gone up although the price of *gur*, unfortunately, has not. If the price of *gur* had also gone up, or at least retained the level of the previous year the zamindars would have made a big profit. If there has been a reduction in the area under cotton it is because the prices have not been satisfactory. I hope that the honourable member is satisfied that every one of his points has been met and that Government has given a very big concession, in reducing *malikana* to the extent of nearly one-fourth of the original rate (*cheers*.)

Khan Bahadur Mian Ahmad Yar Khan Daultana : After the assurance of the Honourable Revenue Member that he would consider the question of reduction of rates on the Nili Bar, I beg to withdraw the motion.

The motion was by leave withdrawn.

Mr. President : The question is—

That a sum not exceeding Rs. 13,05,000 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 1934, in respect of Irrigation Establishment, Sutlej Valley Project.

The motion was carried.

IRRIGATION ESTABLISHMENT, OPEN CANALS.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) : Sir, I beg to move—

That a sum not exceeding Rs. 74,04,000 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 1934 in respect of Irrigation Establishment, Open Canals.

Mr. President : Motion is—

That a sum not exceeding Rs. 74,04,000 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 1934, in respect of Irrigation Establishment, Open Canals.

Mr. Muhammad Din Malak (Lahore city, Muhammadan, Urban) :
Sir, I beg to move—

That the grant be reduced by Rs. 1,35,100 with respect to the item of Rs. 4,05,300—
Chief Engineers.

At the outset I would like to assure the House that in moving this cut I am actuated by no malice towards the officers of the Irrigation Department who have served the province very creditably during the last fifty years or more. (*Hear, hear*). Nor is it my intention to criticise the budget in a pettifogging spirit. That our financial condition is still far from stable and that there is still room for retrenchment, nobody can deny. Nobody will also refuse to recognise that the Finance Department has had great difficulties to contend. At one time it was seriously apprehended that the Honourable Finance Member in order to tide over the period of depression might be tempted to have recourse to fresh taxation, and as a matter of fact, the committee appointed by this House in the year before last actually recommended certain new sources of income for supplementing our depleted revenues. But the Honourable Finance Member and the Finance Secretary who are primarily responsible for our provincial purse showed a masterful grasp of the situation in refusing to avail themselves of such makeshift expedients. The paying capacity of the people has materially gone down of late, and it does not require a prophet to foresee that the acquisition of a few lakhs extra through unpopular measures would have been immediately followed by bitter public resentment in the province and this discontent the mischief-makers would have exploited with unabated avidity. So, Sir, in this particular respect, the gratitude of the province is due to the Finance Department and the Honourable the Finance Member is to be sincerely congratulated on his manifesting great skill and ability in squaring up the budget with a balance on the right side and that without resorting to any offensive budgetary tactics. But as I have said, our financial position is still unstable and unless the Honourable the Finance Member should have changed his opinion since about the impropriety of levying fresh taxation, we must continue to cut down our expenditure as far as we can. We have heard, a great deal too much I am afraid, of the spirit of co-operation displayed by various departments in effecting economies and an instance in point is that of the Irrigation Department. So far as the retrenchment of the higher posts goes, the Irrigation Department has barely touched even the outermost fringe of this spirit of co-operation. The House has cried itself hoarse in demanding that a reduction in the number of chief engineers must be made. But the Government has remained unmoved. During the last budget session the Honourable the Revenue Member had relied mainly on the argument that the acreage had gone up by hundreds of thousands and it was impossible for one man to cope with all the additional work. In this connection I would beg to state a few facts for the information of the House.

Fact No. 1.—The grand total of the gross commanded area on the various canal systems in the province, excluding the Sutlej Valley Project is 17,800,786 acres.

Fact No. 2.—The contribution to this grand total by the 4 old canals, the Lower Chenab, the Upper Bari Doab, the Sirhind and the Western Jumna, is 10,160,102 acres.

Fact No. 3.—These 4 canals were constructed and completed during the last century.

Fact No. 4.—There was only one chief engineer in charge of these 4 canals whether for purposes of construction or irrigation.

Fact No. 5.—This one chief engineer, in addition to holding charge of these 4 canals had also started construction work on the Lower Jhelum Canal in the year 1898 and had continued to hold charge both of open canals and construction work until 1905.

I am not very certain with regard to the completion date of the Dera Jat Circle. I do feel inclined that this circle was also completed during the last century and if it was, then another large slice of the gross commanded area amounting to another 23 lakhs will have to be added to this charge. But as I am not certain of my facts, I am not including it in the charge of the one chief engineer.

I have put the House in possession of these indisputable facts. They are as simple as they are convincing. No great talent or the acumen of a mathematician is needed to enable one to understand that if one chief engineer could supervise the construction of the Lower Jhelum Canal in addition to holding charge of the gross commanded area of 10,160,000 odd acres, why could not another chief engineer supervise the Sutlej Valley Project in addition to supervising and controlling the balance of the gross commanded area which comes to only 76½ lakhs, that is to say if Dera Jat Circle were included in it. The Honourable the Revenue Member during the last session also tried to justify the retention of the third chief engineer exclusively for the Sutlej Valley Project. For he said :

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.

Granted that we were under an obligation to keep a third chief engineer for the Sutlej Valley Project, now that the construction has been completed—

The Honourable Captain Sardar Sir Sikander Hyat Khan : It has not been completed.

Mr. Muhammad Din Malak : I beg your pardon. It has been completed. Please see the budget speech of the Honourable Finance Member.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Completed in the sense that the accounts are being closed.

Mr. Muhammad Din Malak : Whatever the sense is, I will come to that sense afterwards. It has been completed and if the completion report has not yet been submitted it might follow. You do not require a third chief engineer for the submission of the completion report. For all practical purposes the project has been completed.

The Honourable Captain Sardar Sir Sikander Hyat Khan : The British side only.

Mr. Muhammad Din Malak : We have not provided anything in the next year's budget, so far as I follow the figures for the construction work on that project.

The Honourable Captain Sardar Sir Sikander Hyat Khan : We have.

Mr. Muhammad Din Malak : Please do not interrupt me. I have got only 4 or 5 minutes more.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I merely wanted to point out to the honourable member that he is making a mis-statement of facts.

Mr. Muhammad Din Malak : Thank you very much. But please do not interrupt me.

The Honourable Captain Sardar Sir Sikander Hyat Khan : If you make a mis-statement of facts, I have to.

Mr. Muhammad Din Malak : It is not a point of order. I have not resumed my seat. I have got only 4 minutes more and I have got to do something.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Do it on facts and do not mis-state facts.

Mr. Muhammad Din Malak : I do not want your facts. Indeed I am already discussing your facts. However, if the Honourable the Revenue Member could be so emphatic in expressing Government's solicitude for the due discharge of their obligations towards Bikaner and Bahawalpur Durbars, Government might have shown half as much solicitude for the interests of the rate-payers and for the undertakings which the Honourable the Revenue Member himself had given to the House, that on the completion of the project the third chief engineer would be reduced. I quite agree that a large portion of the provincial revenue comes through the irrigation department. But I do not think it will be seriously contended that the officers of the irrigation department are the share-holders of the Punjab Government and that with any increase in the canal revenue receipts they are entitled to a claim for increase in their number and in their emoluments. The argument that one of the chief engineers has to be coupled up in the Council Chamber for a month during the budget session and has to be present during other sessions or that Council questions and answers have to pass through his hands, lacks conviction. We all know that answers to the Council questions are prepared by office and not by heads of departments and as regards their passing hands, they pass various and many hands and I would venture to add that more attention is bestowed on Council questions and answers by His Excellency the Governor than by anybody else. If His Excellency, in addition to his other multifarious duties, can manage to attend to Council questions and answers, relating not to one but to all departments of the Government, surely, the chief engineers like other heads of departments, should also manage it without claiming any extra facilities.

I have got to say a few words with regard to the salary of the chief engineers. During the last budget session, I had stated that not only the number of chief engineers had been increased during recent past but also their emoluments had been largely increased. The Honourable the Revenue Member in reply to this portion of my statement had deemed it fit to harangue the House in the following words :—

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.

I will see as to who was wrong in his facts.

The Honourable Captain Sardar Sir Sikander Hyat Khan : You.

Mr. Muhammad Din Malak : I will see whether you were wrong or I was wrong. This speech was made by the Honourable the Revenue Member on the 15th March 1932 and without claiming infallibility for myself as the Honourable the Revenue Member would appear to claim for himself—

The Honourable Captain Sardar Sir Sikander Hyat Khan : I have not. I said "so far as I am aware."

Mr. Muhammad Din Malak : I will come to that. I will fix you up.

Mr. President : Will the honourable member please address the Chair?

Mr. Muhammad Din Malak : I am addressing you, Sir. But I am being interrupted.

Mr. President : The honourable member need not answer questions addressed to him direct.

Mr. Muhammad Din Malak : These interruptions must be stopped.

5 P.M. Now, Sir, without claiming any infallibility for myself and with due deference to the high dignity and great authority of the Honourable Revenue Member—

Mr. President : Order, order. It is now 5 o'clock. The question is—

That the grant be reduced by Rs. 1,35,100, with respect to the item of Rs. 4,05,300, Chief Engineers.

The Council divided: Ayes 4; Noes 33.

AYES.

Kanwar Mamraj Singh Chohan.
Chaudhri Allah Dad Khan.

Mr. Muhammd Din Malak.
Chaudhri Ram Sarup.

NOES.

Colonel D. P. Gail.	The Honourable Captain Sardar
Mr. D. J. Boyd.	Sir Sikander Hyat Khan.
Mr. H. Calvert.	Mr. J. W. Hearn.
Lala Labh Chand Mehra.	Mr. C. C. Garbett.
Mr. E. Mayadas.	K. S. Shaikh Fazl Ilahi.
Dr. (Mrs.) M. C. Shave.	Mr. S. L. Sale.
Khan Bahadur Mian Mushtaq Ahmad.	Diwan Bahadur Raja Narendra Nath.
Sardar Bahadur Captain Sardar Janmeja Singh.	Rai Bahadur Lala Sewak Ram.
The Honourable Dr. Gokul Chand Narang.	Khan Bahadur Mian Ahmad Yar Khan Daultana.
The Honourable Malik Sir Firoz Khan Noon.	Sardar Bahadur Khan.
The Honourable Sardar Sir Jogendra Singh.	Khan Bahadur Mian Muhammad Hayat Qureshi.
Mr. P. Marsden.	Mr. Owen Roberts.
Mr. R. Sanderson.	Khan Bahadur Captain Malik Muzaffar Khan.
Mr. F. H. Puckle.	Khan Sahib Makhdum Shaikh Muhammad Hasan.
Mr. R. P. Hadow.	Sardar Bahadur Sardar Sheo Narain Singh.
Mr. H. B. Stewart.	2nd-Lieutenant Sardar Ram Singh.
The Honourable Sir Henry Craik.	Guru Jaswant Singh.

Mr. President : Question is—

That a sum not exceeding Rs. 74,04,000 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 1934, in respect of Irrigation Establishment, Open Canals.

The motion was carried.

IRRIGATION.

Mr. President : Question is—

That a sum not exceeding Rs. 92,40,100 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 1934, in respect of Irrigation.

The motion was carried.

REGISTRATION.

Mr. President : Question is—

That a sum not exceeding Rs. 74,800 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1934, in respect of Registration.

The motion was carried.

FOREST (CAPITAL EXPENDITURE).

Mr. President : Question is—

That a sum not exceeding Rs. 3,61,200 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 1934, in respect of Forest (Capital Expenditure).

The motion was carried

FORESTS.

Mr. President : Question is—

That a sum not exceeding Rs. 13,61,000 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 1934 in respect of Forests.

The motion was carried.

STAMPS.

Mr. President : Question is—

That a sum not exceeding Rs. 61,700 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 1934 in respect of Stamps.

The motion was carried.

EXCISE.

Mr. President : Question is—

That a sum not exceeding Rs. 9,81,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1934, in respect of Excise.

The motion was carried.

LAND REVENUE.

Mr. President : Question is—

That a sum not exceeding Rs. 35,54,000 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 1934 in respect of Land Revenue.

The motion was carried.

The Council then adjourned till 2 p. m., on Tuesday, the 21st of March 1933.

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PUNJAB LEGISLATIVE COUNCIL

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 21st March 1933.

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. Tek Chand (North-East Towns, Non-Muhammadan, Urban).

RESOLUTIONS.

PUNITIVE POLICE AT BAKNAUR.

Mr. President : The Council will now resume discussion on the resolution of Kanwar Mamraj Singh.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, Non-Muhammadan, Rural) (*Urdu*) : Sir, last time when I was speaking on this matter I had made it clear to the honourable members that much injustice was being done to the inhabitants of the villages for which punitive police was stationed at Baknaur, in the Ambala district. In answer to my question No. 648 (starred), part (c) the Government stated —

The area was in a disturbed and dangerous state due to the misconduct of the inhabitants in harbouring, assisting and sympathising with dangerous proclaimed offenders.

Then again, in answer to my starred Council question No. 1644, part (c), it was stated—

One proclaimed offender belonged to Ambala district, and was resident of village Baknaur.

Also, in answer to question No. 648 (starred), part (k), it was stated that Government had no applications under consideration from the inhabitants of those villages to exempt them from the costs of punitive police. So far as part (c) of the starred question 648 is concerned, I may say that only one of the two offenders belonged to the Ambala district as is clear from the answer of the Government to part (c) of the starred question No. 1644, and he was the man who had attempted to murder the sufedposh of Baknaur and was charged with this offence. Now, how is it possible that an offender who had attempted the murder of a sufedposh of the village Baknaur could find shelter in the same village? It was not possible for the inhabitants of the village Baknaur to harbour and assist a man who had attempted the murder of the sufedposh of the village. Then, again, this offender, whose name was Sunder, never committed any other crime in the Ambala district except the attempt to murder already mentioned. All the crimes with which he was charged were committed in the districts of Ludhiana and Karnal and in the Patiala State. Government has imposed no punishment on the

[Kanwar Mamraj Singh Chohan.]

districts in which they generally committed their crimes. It was unjust to station punitive police in the Ambala district in which none of these offenders committed any crime with the exception of one. Now Sunder who absconded for some time is under trial in Patiala State. He was arrested in Karnal. The Government has not imposed any punishment on the district of Karnal, but it has stationed a punitive police post at Baknaur in the Ambala district, and a few villages have to pay its cost to the extent of Rs. 20,000. The second offender too, whose name was Kundan, was not an inhabitant of the Ambala district. He was only suspected of having committed two offences in the Ambala district, but no case was started against him. He was shot dead in the Patiala State and belonged to the Karnal district. He murdered one constable, one head constable and one Brahman in the Patiala State. He committed only one offence in the Ambala district. Now in view of these circumstances which I have explained one fails to understand why punitive police was stationed in a district which was not the centre of activities of these offenders instead of stationing it in the districts which were directly connected with them and in which they generally committed their misdeeds. Again, when one of these two offenders is dead, for he was shot down in the Patiala State— and the other has been arrested before the posting of the police, what necessity is there to keep the punitive police stationed at Baknaur? The Government ought to have removed the punitive police post from Baknaur as soon as possible. Kundan, as is clear from the answer to question No. 648 starred, was shot dead on the 16th of April 1930. Now what was the use of keeping the punitive police stationed at Baknaur after the death of Kundan, even if we admit that these villages for which it was stationed harboured and assisted him. Further, in this area for which this punitive police was stationed there are some villages which are exempted from the cost of the punitive police. A few villages here and a few there after leaving some between are put under the control of the punitive police. To some villages in the area of the punitive police preferential treatment is accorded by not bringing them under the control of the punitive police. This is unfair. Does it mean that these villages which although they are situated in the same area desisted from offering any assistance to the offenders or the authorities were favourably disposed towards them and so freed them from the burden of the punitive police? Let the Government name those who harboured and assisted these offenders in these villages. These offenders had no relations in these villages. They had no cordial connections with the residents of these villages. Still the Government have burdened the residents of these villages with the cost of the punitive police.

Besides, as already referred to, these villages submitted applications to the Government that they may be exempted from the cost of the punitive police, and that the police post stationed at Baknaur may be removed. In answer to a question which I referred to in the beginning of my speech and in which I had enquired whether Government received any such applications, the Government stated that they had received no such applications. I know it is a fact, that in answer to these applications the Government had sent a reply to the residents of these villages that they should see the Deputy Commissioner in this connection, and then on his report it would be seen what

action the Government could take. But in answer to the Council question, the Government said that they had received no applications.

In the end, Sir, I request that the Government may very kindly see their way to undo the injustice that has been done to the poor residents of these villages for the controlling of whose conduct a punitive police post was stationed at Baknaur in the Ambala district. If the stationing of this police post was due to some mistake of the officers then for their mistake the poor people should not be made to suffer. To burden them with such heavy costs is not fair. They are loyal subjects, and it is the duty of the Government to see that they do not suffer from any injustice. With these words, I commend my resolution for the favourable consideration of the House.

Mr. President : The resolution is—

This Council recommends to the Government that the cost of the punitive police stationed at Baknaur in the Ambala district in 1930 be not realised from the inhabitants of the villages included in the area of that police.

The Honourable Sir Henry Craik (Finance Member): Sir, this post was imposed at the beginning of April 1930 at Baknaur, the village referred to in the honourable member's resolution, and twelve other villages in the neighbourhood, all villages being in the Ambala district. The reason for the imposition of the post was that these villages had consistently harboured and assisted two very notorious outlaws, one being known as Sundar Singh who was actually a resident of Baknaur, and the other being a man named Kundan Singh, whom the honourable member has described—and I accept his description—as a resident of a village in Karnal district. These two murderers had for a period of no less than three years practically terrorised the neighbourhood, and had been responsible for a very large number of serious crimes in Ludhiana, Karnal, Ambala and in Patiala State. Their speciality was attacking butchers and *banjaras* in possession of cattle and posing as "the protector of the cow." They thus endeavoured and indeed were successful in enlisting the sympathy of the Jat villages of that neighbourhood by these crimes of violence, and they were for a great many months regularly harboured and fed and concealed in the villages on which the punitive police was imposed. The inhabitants of those villages consistently refused to give any information to the police regarding the movements of these outlaws and definitely obstructed the efforts of the police to effect their arrest. Eventually after months of failure, Sundar Singh was arrested by the Karnal police and was tried for a double murder committed in the Ambala district and also for an attempted murder in which he had fired several shots at a man and had escaped. The witnesses who belonged to those villages to which I have referred deliberately refused to identify Sundar Singh, though, as I have said, he was an inhabitant of Baknaur, and some of them resiled from statements they had already made to the police, with the result that though Sundar Singh was convicted of murder in the sessions court he was eventually acquitted on appeal. But I am glad to say he was convicted of the attempted murder and sentenced to a long term of imprisonment, and he is still in jail. There were several charges against him of robbery, and these failed for the same reason because the villagers would not give evidence. In fact when Sundar Singh was first produced in court, the villagers, including the headman of Baknaur, the chief village concerned,

[The Hon. Sir Henry Craik.]

hailed him as "the saviour of the cow," and made a demonstration in his favour in the court compound. They actually raised a defence fund for the purpose of his defence, and succeeded, as I have said, in securing his acquittal on the graver of the charges against him.

Now I will turn to the other man, Kundan Singh. This man when the recommendation for the imposition of this punitive post was sent up was still at large. He was considered on good grounds to be guilty of no less than eleven murders. In fact he was the very worst type of criminal. In the Ambala district alone he was wanted for a double murder, for two dacoities and for a robbery. All these offences were committed with the assistance and help of the local jats on the road leading from Ambala Cantonment to Naggar which is close to these villages, and the cattle dealers who took convoys of cattle along this road were so terrified that the traffic was almost entirely closed down. Eventually Kundan Singh was shot by the police, I think in Patiala State, when resisting arrest, just after the proposal for imposing punitive police had been received and just before the post was actually imposed. Now, I think it is clear that these two men, who were consistently harboured and assisted, sheltered and defended by these villages, were the very worst type of criminals whose arrest by any means the police were entirely justified in making.

I will give some examples of the way in which these villagers helped them. The first village of the group of thirteen is called Udo Majra. There I can give the names, but I will not; there were a series of police reports running out a long period that various inhabitants of the village consistently used to harbour Sundar Singh and provide food and shelter to him. He was often seen taking his food, walking about the village in broad daylight and he was known to be stopping at the houses of various jats of the village.

Taking up the next village, Baknaur, the inhabitants of that village did their very best to spoil the case against these two outlaws, specially Sundar Singh, who was an inhabitant of that village. The lambardar, as I have already said, hailed Sundar Singh in the compound of the saddar court at Ambala when he was produced in police custody before the magistrate, and loudly and openly encouraged him, saying that they would see that he was acquitted. Other jats of that village started a defence fund on behalf of Sundar Singh, and it is actually reported that several of them subscribed as much as Rs. 125 each to the defence fund. After the attempted murder to which I have referred, for which Sundar Singh was eventually convicted, he frequently visited Baknaur but no one in the village ever gave information to the police. In fact he was regarded as a sort of a local hero. Another village of the group is called Konkpur. There again Sundar Singh was constantly harboured, fed and sheltered by the villagers. A villager, in fact a jagirdar of that village, actually sold to Sundar Singh the gun with which his murders were committed, for a sum of Rs. 500, and that sum was paid out of the proceeds of stolen property. Balana, a fourth village, fed, harboured and sheltered Kundan Singh. Mardan, Daulatpur, Barangpur and in fact every single one of the thirteen villages of this group regularly harboured, helped and concealed these two desperate outlaws.

I have only to add that before the proposal for a punitive police post was sent up, Sir Charles Stead, who was then Inspector-General of Police, himself went down to the *ilaga* and made inquiries on the spot. He found that Kundan Singh had been constantly harboured by the villagers of this area, he had been able to walk about in broad daylight, in the open fields with absolute freedom, and nobody had ever interfered with him and nobody had ever reported his presence to the police.

If the facts which I have told the House are not sufficient justification for the imposition of this punitive police post, I do not know what is. I cannot see that it is the duty of the general tax-payer to pay for a force of police which is necessitated entirely by the misconduct of a small group of villages. Their conduct, there can be no doubt, led these two outlaws to remain at large for months, in fact for some years, longer than they would have done had the villages done their duty and helped the police to arrest them. Their conduct may be said to have led directly to the large number of murders and to a great deal of crime. I hope, the House will show that it endorses the action of Government in imposing this entirely justified police post on this extremely badly behaved group of villages, which has been guilty of the most disgraceful conduct in helping these two desperate murderers, and will show its approval of the action of Government by rejecting this resolution.

Kanwar Mamraj Singh Chohan (Urdu) : Sir, I should like the Honourable Finance Member to answer this question. When one of the absconders had already been arrested and the other killed what was the necessity of stationing punitive police in that *ilaga* ? I cannot imagine that the necessity was any other than the restoring of the prestige of the executive and holding the people in awe of the police for a while. This fact is admitted by the Government in its statement that the police post was stationed on the 8th of April, and the absconder was killed on the 16th of April in another *ilaga*. Under these circumstances to put the burden of Rs. 20,000 on the people of this *ilaga* would be highly unjustifiable. The Honourable Finance Member said that both the absconders were jats and the tax is also imposed on villages peopled by jats. That is a very fanciful statement. He himself has admitted, while answering a Council question asked by me, that no person residing in the villages concerned is exempted from this tax. Part (f) of my starred question No. 648 was :—

Whether the Government has been pleased to except any persons from the liability to bear any portion of the cost of this police.

And the answer to it was a blunt 'No.' So the Government proposed to tax the Hindu jats, Muhammadan jats, Sikh jats and mahajans alike. So the argument of taxing only the community to which the absconders unfortunately belonged does not hold water. But when the Government found themselves confronted by multifarious difficulties at the time of realising the accursed tax they conveniently and diplomatically exempted the lambdars, zaildars and sufedposhes from it. Evidently the Government intends to win the sympathy of the village officials and by their aid hush up all the clamouring of the people.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Is it a fact that the lambdars were exempted from this tax ?

Kanwar Mamraj Singh Chohan : Yes, all the lambardars, zaildars and sofedposhes are exempted in order that they may realise the money from the poor people by hook or by crook in utter disregard of their remonstrations and expostulations. And it is just possible that the Government may restore a portion of the total receipts to them by way of reward. The Honourable Finance Member admitted that Sunar Singh was prosecuted for an attempt to murder, but was acquitted in another case. But I want to urge that the Ambala district is not answerable for an offence committed in the Karnal district. Similarly Ludhiana is responsible for four offences and Patiala and Karnal for two murders committed within their *ilagas*. Presumably it was the people of those *ilagas* who used to provide the culprits with food and lodging, but the innocent people of Ambala are being penalised for no fault of theirs. And it is being done on a report from the police. But the Government ought to have made enquiries through people other than their own officials. Now, you say that you sent an officer to enquire into the matter. But can you ever imagine that the man had the courage to report against the 'findings' of the Superintendent of Police. I hope that the Government will appoint some impartial person to make enquiries with regard to this matter and I would again emphasise that it is not just to impose taxes on the Ambala district for the offences that were committed in Karnal, Ludhiana and Patiala.

The Honourable Sir Henry Craik : The only point in the honourable member's speech that seems to be of any importance is that, of the two outlaws for harbouring whom this post was imposed, one had been arrested before the post was actually imposed and the other was shot while resisting arrest a day or two before the additional police was actually posted. That seems to me to be entirely irrelevant. The post, as I already said, was imposed owing to the misconduct of the inhabitants of the area which had continued over a long period. The imposition was entirely covered by section 15 of the Police Act V of 1861. The area was in a "disturbed and dangerous state;" and also owing to the conduct of the inhabitants of that area "it was expedient to increase the number of police." The law gives the local Government entire authority to impose additional police in such circumstances. It is quite immaterial whether these two murderers had been disposed of or not.

The honourable member made great play of the fact that one of the two murderers, Kundan Singh, was not by birth a resident of this area. I have already admitted that. But as I have already explained, that is immaterial. This man was wanted for no less than 11 murders. Of these 11 murders, two double murders and two dacoities and robbery were actually committed in the Karnal district, either in or close to the group of villages on which the punitive police post were imposed. It is begging the question to say that because he was not a resident of that area therefore no police should have been imposed. As I have shown, he regularly visited this area and committed most appalling crimes in it, and he was regularly sheltered and protected by the inhabitants of those villages. I contend that in the circumstances Government was entirely justified in taking the steps that it did take.

Mr. President : The question is—

This Council recommends to the Government that the cost of the punitive police stationed at Baknaur in the Ambala district in 1930 be not realised from the inhabitants of the villages included in the area of that police.

The motion was lost.

RE WATER RATES.

Chaudhri Nazir Husain (Gujrat West, Muhammadan, Rural) : Sir,
I beg to move—

This Council recommends to the Government that a committee consisting of official and non-official experts and a few non-official members of this Council should be appointed to examine and report upon the best means of re-adjusting the existing water rates to the present prices of agricultural produce with as little loss to public revenue as possible.

The condition to which the Punjab peasant has been reduced by the abnormal fall in prices of agricultural produce and also by a succession of bad harvests is known to everybody in this House. It may be that those of us who come from the rural areas know, more as to the actual distress that is prevailing in the countryside than some of the town members, but I hope there is nobody in this House who does not sympathise with the present plight of the zamindars. Indeed it has become almost a normal feature of the business of this House, at any rate of these benches, to ask for remission of the Government dues on the occasion of every harvest. This is only an indication, if indication were needed, as to the necessity of doing something to reduce the charges that are levied from the zamindars. It is true that the Government has, off and on, come to the help of the zamindars by reducing the Government charges. But from the way in which it wriggled out of this position on the last occasion it appears that their attitude is merely more or less like that of a slave driver who continues to work his slave as long as the latter is capable of working, and only gives him respite when it is impossible to get any more work out of him. This is not a wise attitude on the part of the Government. Government should be more sympathetic, and try not merely to administer palliatives but to find out some lasting remedy for the disease. It is true that the zamindars are unorganised. They have got no voice and therefore probably the Government does not pay much heed to their wishes as to the wishes of the sections which are more vocal. (*Hear, hear*). But the Government should take heed of the signs of the times. Now, even the zamindars are organising. We have reports of big gatherings from every district which call upon the countryside to be up and doing, and be careful of their rights. Only a few days ago I read in a newspaper about some happening near Ghaziabad. There some proceedings were taken against some zamindars for realisation of Government dues. The officers who went to collect revenue, or at any rate to attach cattle, were belaboured, and one of them sustained very serious injuries. I have referred to this case with a view to show that the conditions in the Punjab are drifting to the same position, unless some remedy is evolved to lessen the hardship of the zamindars.

This resolution makes a very modest demand. It merely asks the Government to appoint a committee to go into the question, and it rests with the Government, after the report of the committee is in its hands, to act up to its recommendation. It may be that the committee considering all the circumstances of the case may say that no reduction is, as a matter of fact, required.

[Ch. Nazir Husain.]

In that case the hands of the Government would be strengthened, and this committee would be of considerable help to the Government. When the rates were enhanced, probably in the year 1924 or 1925, there was a great hue and cry. But the Council at that time agreed to the enhancement keeping in view the comparatively better position of the zamindar at that time. Now, when the conditions are much worse than they were at that particular time, it behoves the Government to take away at any rate the enhancement that they made in the year 1924 or 1925.

There is one other point that I wish to bring to the notice of the House and that is that we are all agreed that the present charges of *abiana*—and we are here concerned only with *abiana*—are such that the peasant cannot pay them. At the same time we are keeping these charges at their present level in the hope that the prices of agricultural produce will go up. That is a purely false hope. The conditions that are now prevailing are probably going to stay. They are, in fact, pre-war prices of the agricultural produce; and we have no hope of the prices getting better. Therefore the sooner we come down to the pre-war level of rates the more just it will be on the part of the Government. We have been told, and told more than once by the Honourable Revenue Member, that the Irrigation Department is a business concern, and that it can be looked at only from a business point of view. Recently the Government has affected retrenchment in the Irrigation Department to the extent of several lakhs. If the department is a business concern and it is to be run on business lines, then may I enquire why no benefit out of that retrenchment has been given to the actual consumers of water? The Honourable Revenue Member quoted certain figures yesterday about the contracts that he has made with certain people in the Nili Bar colony for leasing out certain lands. The rates that he quoted appear to be too high for any ordinary person to imagine. Probably the explanation may be either that those rates are rates appertaining to particular tracts of new, or at any rate comparatively new, soil which can yield better harvests than the soil in the rest of the Punjab yields or it may be that the people who have gone in for those rates are very much better agriculturists than the average Punjab agriculturist. The Honourable Revenue Member seems to be more inclined to this view. But even so we have to take stock of the situation from the point of view of the average agriculturist. It may be that he is a bad agriculturist, and if he applied himself more scientifically to the work of agriculturist, probably he would get more produce out of this land. But at the present time we have to take the situation as it is. At the present time the agriculturist is not able to get such profit out of his land that the Government should continue to levy such heavy charges as it is levying. It is unnecessary for me to dilate upon the condition of the zamindars. This resolution is a very straightforward one, and does not require any long arguments in its support. I hope the Government will meet us half-way by accepting this resolution because it does not affect their position very much.

Mr. President : Resolution moved—

This Council recommends to the Government that a committee consisting of official and non-official experts and a few non-official members of this Council should be appointed to examine and report upon the best means of re-adjusting the existing water rates to the present prices of agricultural produce with as little loss to public revenue as possible.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural): Sir, the demand contained in this resolution is so modest that I have no reason to doubt that the Government will accept it. At least I feel that the Government ought to accept it. This resolution is so hedged round with conditions that an outsider would think as if this resolution were drafted by the Honourable Revenue Member himself. In fact, if we analyse this resolution, it will transpire that it asks for no more than the appointment of a committee. On that committee will be represented experts, not only official but also non-official, and there will be a few members of this House also on that committee. The resolution does not even ask for a majority of non-official members to serve on this committee. Therefore, Government ought to have no hesitation in accepting this resolution. Another condition that appears in the wording of the resolution is that the business of the committee will be to re-adjust rates. It does not necessarily mean that there will be or need be an all-round reduction in water rates. I am only speaking of the wording of the resolution. There may be a few items in the schedule of rates where it may be found possible even to increase the existing rates, while there may be items in the schedule of rates where a reduction is not only called for but very urgently needed. A third condition which appears on the face of the resolution is that there should be as little loss to public revenues as possible. With these three conditions before us, I do not think the Government will have any hesitation in accepting this resolution.

So far as the demand for some sort of reduction is concerned, it has been the subject of many debates in this Council. The zamindar members of this Council, and in some cases even the non-zamindar members of the Council, have been asking for some reasonable reduction in the rates that prevail now a days. The existing rates were adopted in 1924. In that year the prices of agricultural produce were very high indeed. If I remember correctly, wheat was selling between Rs. 5 and 6 a maund. For cotton it was a boom year. I think the price per maund of cotton in those days was in the neighbourhood of Rs. 24. Similarly *gur* was fetching a very good price. At present, I am speaking of the south-eastern districts, the price of *gur* has gone so low that no man living has any recollection of any time when prices were so low as they are now. In the *mandi* of Rohtak *gur* is selling at Re. 1-8-0 per maund. The present prices of *gur* are so hopelessly low that unless water rates are reduced, the danger is that people will cease to grow any sugarcane whatsoever. Not only does sugarcane crop not pay at present, but it is, in fact, a dead loss, and if the zamindar were to take into account the labour that he spends on growing sugarcane crop, he would find that he is a very heavy loser indeed. Wheat, cotton and sugarcane are the chief valuable crops in the province, and in respect of all these crops prices have fallen by from 50 to 75 per cent. as compared with the normal rates prevailing about the year 1924. Therefore, I beg to submit that there is a very very strong case for the appointment of a committee, the business of which will be to go into the existing schedule of rates and make such changes as are found to be reasonable and practicable. It may be that there are some crops on which the Government can reasonably raise the rates slightly, while on these three crops at least there is a very just ground for making a substantial reduction. As I observed just now, the members

[R. B. Ch. Chhotu Ram.]

of this House have been incessantly clamouring for a reduction of water rates not only by means of giving notices of resolutions, but also by means of budget cuts and by asking questions with regard to the present rates, with regard to the prices of agricultural produce now and what they were 5 or 10 years ago. Therefore, the resolution, so modest and reasonable, ought to prove acceptable to the Government.

There is just one circumstance which I feel may mislead Government members. That circumstance is the payment of water rate without much difficulty by zamindars so far. When I say payments are being made without much difficulty, I do not mean to say that zamindars feel no difficulty in making payments. What I mean is that the Government has not been put to any trouble whatsoever in realising water rates. But that can be put down only to a mere stroke of luck. Government has been unusually lucky in the readiness of the zamindar to pay, whatever the means which he may have to adopt. But I can assure the Treasury Benches that the zamindar is really not paying water rates out of the produce of the soil. It is a simple matter of calculation, and if the Government members were to take the trouble of calculating the amount which normal produce is likely to fetch per acre and then take into account the cost of seed and even a part of the cost of labour, Government would find that not only is there no margin left to the zamindar to enable him to make these payments but that the zamindar is actually a loser. (Mr. H. Calvert : Question). I have been using the word zamindar all through ; but it simply means the occupier. In most cases the zamindar is also the occupier. In others he does not happen to be the occupier, but only a landlord with tenants working under him. But really that does not make much difference because in the Punjab we find that the number of zamindars who pay land revenue of over Rs. 500 is below 4,000. That shows the infinitesimal proportion in which the big landholders are represented in the land-owning classes of this province. Therefore leaving aside the case of bigger zamindars who may have tenants cultivating under them, a zamindar really means a self-cultivating owner. The Punjab after all is a province essentially of peasant proprietors and, therefore, the use of the word zamindar should not mislead anybody. I beg to submit that the zamindar has been fighting very manfully and courageously against his difficulties, and has so far been able to find means to pay Government dues without making any difficulty. But as I submitted just now, it is also true that the zamindar is not paying these Government dues out of what he gets from the soil. (Mr. H. Calvert : Question) but entirely from different sources. He has to pawn his scanty jewellery or he has to sell his cattle or he has to sell or mortgage his lands, and in some cases, I understand, he has even been compelled to sell his daughters. (Mr. H. Calvert : Question). That is perfectly true. You question because you have never had occasion to go into the midst of zamindars. You are confined to your office, and whenever you go outside into the districts you see only those who say things which are pleasing to yourself. (Mr. H. Calvert : Question). You see only the type of people who come to see officials and say—

حضور نے اقبال سے سب کام اچھا ہو رہا ہے

knowing all along that nobody is really happy. The tahsildar repeats the same story knowing as he does that unless he said things which would

gratify his financial commissioner or his commissioner, he might be sacked or lose credit or get a bad remark. Similarly the revenue assistant comes in and says—

حضور کے اقبال سے سب کام اچھا ہے کوئی دقت نہیں

knowing all the time that the zamindar is neither prosperous nor happy. In the same way the zaildar comes with his book and wants to have a good entry made therein and says—

حضور کے اقبال سے سب کام اچھا ہو رہا ہے

It is on the basis of these things that high Government officers base their opinion. Generally the patwari sets the ball rolling, under the influence of a fear that he will lose his job if he makes a correct report. That report receives blessings from a succession of other revenue officials of varying rank, and, though inaccurate, is accepted as gospel truth in higher quarters. Therefore I say with all the emphasis that I can command, that the reports on which Government bases its opinion and the facile assumption on which Government officers are disposed to make that the zamindar is really happy and prosperous and is paying Government dues not out of the sources which I have indicated but out of the produce of the soil are entirely wrong, and high Government officers are sadly in the dark. It is this aspect of the question which is provoking to a degree. Government officers feel so self-sufficient and attach such value to the reports which they receive from their subordinates that they will not pay heed to what other people who are in a more independent position have to say on the subject. It is this aspect of the question which may land Government into difficulties inasmuch as they may be led to bank too long upon a thing which does not exist in fact. They swallow wrong reports, exaggerated reports of the produce or of the prosperity of the zamindar from their own subordinates who, rightly or wrongly, think that if they made correct reports they would fall from grace in the eyes of their superior officers. Therefore, Government should no longer rely only on the reports received from its own departmental officers. After all there are so many zamindar members here who live in the midst of zamindars and who know what is happening to their brethren. Even if you make some sort of an allowance in what these members say on the ground that they may, consciously or unconsciously, be led to say things which may be pleasing to their constituencies, you should not, as generally happens, entirely discount what is said here, and think that it is only the zamindars who say that they are in a sad plight. Let somebody go *incognito* in the old oriental fashion, and find out for himself whether zamindars are or are not in a deplorable condition. The fact is that they cannot get two square meals a day. Ninety-nine per cent. are indebted. They are unable

P. M.

to make the least payment towards the heavy debts they have incurred. As a matter of fact, anything that the zamindar is able to produce goes to fill the coffers of the Government. Nothing is left to enable him to make any payment whatsoever to his creditors or towards his obligations in other directions. Even for the purpose of meeting his obligations towards the Government he has generally to fall back upon his credit, or to sell his cattle and scanty jewellery. But he has not been a defaulter so far, and the Government thinks that he

[R. B. Ch. Chhotu Ram.]

can easily make payments, and that he is in a prosperous condition. Government will find some day that it has made a terrible mistake and will suffer for that. (Cheers).

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) (Urdu) : Sir, before I say a few words in support of the resolution now before the House I would like to make it clear at the very outset that as the resolution is not well-worded we should not be guided by the letter but by the spirit in which it has been moved. The resolution under consideration aims at re-adjusting water rates with a view to obtaining substantial reduction in water rates. That is what we want. We would not like a re-adjustment which may not produce this effect. When *abiana* was enhanced the Government then stated that they would be quite prepared to reconsider this question if and when the causes responsible for this enhancement ceased to exist. At that time the Government regarded the heavy provincial contributions and the deficit budget to be the main reasons for this enhancement. But now when both these reasons have ceased to exist the Government should see their way to redeem their promise. In those days the zamindars were well-off. The prices of commodities were sufficiently high. There was no complaint of the scarcity of canal water, and consequently the zamindars could not feel the pinch of the enhanced rates as much as they are feeling to-day. But even then the zamindar members and particularly you, Mr. President, strongly protested against the proposed enhancement. You in your speech, while discussing the incident of taxation in Egypt, remarked as follows :—

In fixing the price of water the Government of a country has to consider many a factor the most important of which is the economic condition of the people.

Surely while discussing the incidence of taxation we should take into consideration the economic condition of the people of this province. Sir John Maynard, the then Finance Member, also stated that *abiana* was going to be enhanced in order to make our budget balanced and to enable us to pay the heavy contributions to the Government of India. But now that our budget is balanced and we have not to pay any contribution to the Government of India and in particular when the zamindars of this province are involved in serious financial troubles, I am at a loss to understand why our Government is not prepared to reconsider the question of water rates. Sir John Maynard at the end of his speech remarked as follows :—

We are quite ready again to press the Government of India to reduce the provincial contributions and we are quite ready to consider the whole financial position both as regards urban and as regards rural taxation when the Government of India can be brought to reduce the provincial contribution.

That was clearly a promise to reconsider the whole situation when the normal conditions re-appeared. I would not like to take much of the time of the House, for the honourable mover and the honourable leader of our party have already made out a case for the acceptance of this resolution. As a matter of fact we are not in favour of any such re-adjustment of water rates under which you may reduce the rates on one crop and increase them on another crop thus making no practical reduction in the rates. But if Government takes that as the object of this resolution I would request the

honourable mover to withdraw it. With these words I support the resolution.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) : Sir, I do not remember a single session during the last 8 years in which the question of *abiana* has not come up for discussion before this House ; and on every one of these occasions Government has tried to meet the wishes of this House by giving practical expression to their sympathy for the zamindars. I may remind the honourable members opposite that I have invariably requested them, whenever the question of *abiana* has come up for discussion, to put forward constructive proposals, which might enable us to meet the deficit which would inevitably result if we were to remit or reduce the *abiana* to the extent they desire. They cannot but admit that they have failed to put forward any constructive proposals so far. When I received notice of this resolution I thought that it was tabled in response to my repeated requests for constructive suggestions. I am, however, not a little disappointed to find that the speeches given from the benches opposite to-day have not been any different from those made on similar motions during previous sessions. It may be that the committee contemplated by the honourable mover may be able to make concrete proposals and constructive suggestions, but that will not be due to any assistance from the honourable members who have spoken on this motion to-day or in the previous debates.

I have no quarrel with the resolution, except for six words in the last line, where the honourable member has suggested that the water rates should be re-adjusted or based on the present prices of agricultural produce. I take objection to these words as they are contrary to the declared policy of the Government. I have repeatedly explained the position of Government in regard to this particular point, in this House and outside, and I may repeat it again that the policy of the Government with regard to water rate is that it should be based on cost of production and not on the price of agricultural commodities. If we had adopted the course suggested by the honourable the mover of the resolution in 1924, the zamindars would have been paying four times the rate which they are paying now. Price of *kapas* as one of the honourable members pointed out ranged between 19 and 24 rupees in those days. As I have said I do not believe in the course suggested by some honourable members. I have often tried to impress upon the zamindar members that it is not only in the interest of Government but also for their sake that I want them to realise that it would benefit every one concerned if this department is run as a commercial concern. This would mean that the Irrigation Department will sell water at cost price *plus* a reasonable amount for profit.

Rao Bahadur Chaudhri Chhotu Ram : And *plus* the working expenses which also will have to be brought down.

The Honourable Captain Sardar Sir Sikander Hyat Khan : So far as the working expenses are concerned my honourable friend opposite and other members are aware that Government and the department have done their very best to reduce expenses — we have reduced them by $\frac{1}{2}$ crore — and we will continue to explore further avenues in which expenses can be further curtailed. I am prepared to accept the honourable member's

[The Hon. Capt. Sardar Sir Sikander Hyat Khan.]

proposition subject to the condition that honourable members will agree to treat this department henceforth as a commercial concern. If we accept this position, it is obvious that we cannot reduce water rates beyond a certain figure, which would represent the actual cost price *plus* a small amount of profit. It is true that the zamindar as compared with previous years finds himself in difficulties, and the combined demand for land revenue and *abiana* is, perhaps, pressing somewhat more heavily than it did, say, four years ago, but to say or to make a general and sweeping assertion that the zamindar cannot see his way to pay *abiana* at all is a grossly exaggerated statement which is not borne out by facts. I had an opportunity of quoting certain figures in this House yesterday relating to tenders for temporary cultivation; those figures were not, as the honourable mover tried to make us believe, tendered by super zamindars but by ordinary agriculturists like himself.

Rao Bahadur Chaudhri Chhotu Ram : Inflicted with a fever of competition.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I do not think that a responsible corporation like the B. C. G. A. would go beyond a prudent limit. I also quoted figures for smaller lots which indicated that smaller zamindars had made even higher bids than the bigger zamindars, and I may, for his benefit, state that these figures do not include water rates. When quoting these rates they were fully aware that they will have to pay the water rate on wheat as well as cotton and other commodities. The honourable member opposite (Rao Bahadur Chaudhri Chhotu Ram) seems to be surprised to learn that such high rates could be obtained even in these days of depression. As a matter of fact I was myself surprised, and very agreeably surprised, to find that tenders for these plots in the Nili Bar were, in some cases as high as 25 to 30 rupees. The honourable mover's contention that it was not possible for zamindars to pay *abiana* is not borne out by these facts. The honourable member from Lahore referred to the Finance Member's speech in 1924 on the occasion of enhancement of water rates. I have gone through the official speeches made during the debate, but I have not been able to find any definite statement to the effect that water rates were being increased on account of high prices of agricultural commodities. The honourable leader of the opposition stated that the increase was justified on the score of high cotton prices which were between 19 and 24 rupees in those days, but I have not been able to trace any reference to cotton prices at all in the official member's speeches. If the honourable member will refer me to the page of the proceedings——

Rao Bahadur Chaudhri Chhotu Ram : You will find it in the debate on a motion relating to reduction in the grant in 1925.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Thanks, I will look it up. The honourable member will remember that when the Government of India contribution was remitted a proposal was made that the amount should be utilized to better purpose by creating a reserve fund, but that resolution was lost by one vote, because some of the zamindar members were unfortunately absent. If that fund had been created then we would have been free from anxiety now.

Then, Sir, the non-officials, ever since this council was established, have continuously and persistently pressed for bigger expenditure on the transferred side. They have naturally insisted on more money being spent on Education, Medical, Public Health, and for other similar purposes, little realising at the time that they might be committing Government to a recurring expenditure which may be difficult to meet. Even if the present economic depression had not set in, it would have been difficult to cope with an ever-increasing recurring expenditure to which we committed ourselves in the years of plenty. It is extremely difficult, if not altogether impossible, to retrace our steps now. No one could of course foresee at the time that we will have to face this unprecedented economic upheaval, but, as I have said, even without this difficulty we would have found ourselves in difficulties on account of our heavy and annually increasing commitments. However, it is no use crying over it now. All that we can do is to take a lesson from our past experience and restrict our commitments in future to the extent we can afford, when our finances become stable again. At the moment we have to consider, if this committee suggests a big reduction in *abiana*, how and where are we going to get money to meet the expenditure for our ordinary day-to-day administration? How are we going to meet the deficit? This is the main problem and, that is why I have repeatedly asked the honourable members opposite to make concrete proposals and suggestions for counter-balancing the loss of revenue which will result if we reduce *abiana* to any appreciable extent. However, this resolution which the honourable member for Gujrat has moved has my fullest sympathy (*hear, hear*); but I will ask him to exclude that portion, or at least to concede that I am right in saying that the portion relating to commodity prices should be deleted. The committee will undoubtedly keep in view the present prices in considering and formulating their recommendations. If he agrees that we should treat this department as a commercial department he should have no hesitation in accepting the principle I have enunciated. I am prepared to accept the resolution, provided it is accepted that we will not tie ourselves to the suggestion contained in the portion relating to commodity prices. I object to that portion because if you accept the principle underlying it, you will also have to concede that *abiana* can be raised and reduced with the rise and fall of prices. That is a position which I am not prepared to accept either as an official or as a zamindar. I am afraid the mover does not realise the full implications of his proposal. Let me explain them to you. It means that if the Committee recommends a reduction of say 20 lakhs in *abiana* on the ground that the prices have fallen and this recommendation is accepted, the Government will be equally entitled and justified in raising it again if the prices go up. This will be the result if you tie the water rates to commodity prices. Water rates, as I pointed out on a previous occasion, are based on various factors, including the quantity of water which a particular crop needs. Sugarcane requires more water, and therefore we have put a higher rate on sugarcane as compared with wheat or cotton. All these factors must be taken into consideration before we can arrive at any definite and correct conclusion regarding the pitch of *abiana* rates. But, as I have said, I am prepared to accept this resolution, subject of course to the qualification and modification which I have suggested (*hear, hear*).

Chaudhri Nazir Husain (Gujrat West, Muhammadan, Rural): Sir, the words in the resolution "report upon the best means of re-adjusting the existing water rates to the present prices of agricultural produce" do not mean that there should be some precise mathematical ratio or relation between the reduction that has to be made and the reduction in the prices of agricultural produce. That is not my meaning. As the Honourable Revenue Member pointed out, cotton at the time when these charges were raised was about Rs. 24 or 25 per maund, and it is about Rs. 6 now. It does not follow that my resolution means that the water rate for cotton should be reduced to $\frac{1}{4}$ th of the existing rate. But I cannot accept the position that has been taken that the prices of agricultural commodities should have no relation whatever to the water rate that is charged. It is granted that the Irrigation Department is a commercial department, but it is not a commercial department in the sense as if a stranger were running these canals. After all Government stands in a particular relation to its subjects, and keeping in view this relation of the Government and the people the department should certainly be run on commercial lines. If this will satisfy the Honourable Member for Revenue I am prepared to give the assurance that my meaning is not that there should be any exact proportion between the rates that I wish the committee to suggest and the fall in the prices of agricultural commodities, but the reduction in the prices of agricultural commodities will have of necessity to be kept in mind by the committee.

Sardar Buta Singh (Multan division and Sheikhpura, Sikh, Rural): Sir, the Honourable Member for Revenue began his speech with the remarks that during the last three years members on these benches have never missed an opportunity of bringing this question of reduction of *abiana* to the notice of this Council. I believe that the charge is correct. Because of the heavy fall in prices we are driven to such dire straits that we want to draw your attention to this fact that unless and until some radical change is effected in the matter of land revenue and water rates, matters will continue to be what they are. If the zamindars have pressed again and again for this reduction in *abiana* the Government Benches have always tried to forget the arguments which they have advanced in the years 1924 and 1925 when they wanted to increase these water rates. The other day making my speech on the general discussion of the budget I tried to prove from the speeches of a predecessor of the present Revenue Member and of Mr. King, the then Financial Commissioner, that the water rate was raised because of the rise in prices, and because it was considered that zamindars can afford to pay. Sir Sundar Singh Majithia, the then Revenue Member, also enumerated a number of crops and the prices of those commodities which had gone very high thereby trying to impress the Council that there was good case for the raising of the water rates. Government ought not to have any hesitation in accepting this very simple proposition that because at that time when the prices had gone high you tried to get more, now that the prices have gone low you must lower your charges. The Honourable Member for Revenue is very kindly prepared to accept the principle involved in this resolution if the reference to the present prices is deleted. I think that this is the most important point, and no decision should be arrived at which misses this point of the fall in prices. Other honourable members have spoken on this resolution, and I

do not want to further take the time of the Council. I associate myself with each and every word of my friends on these benches. The condition of the zamindars has been reduced to such a bad plight that I can assure you that if you go to the countryside you will realise the misery of the people. As we do not know any other profession, we are keeping on to the profession of agriculture; otherwise there will be nothing left for us. My friend was telling us that he was only trying to take something out of our profits. Where are the profits now? I do not see any profits in agriculture, and I can certainly prove that during these days zamindars are the most hard hit people on the surface of the earth. My Honourable friend the Revenue Member has pointed out the high auction prices offered for temporary cultivation. Offering of these high rates is a different affair. He has to see whether he will be able to realize that amount.

Mr. D. J. Boyd : These are tender prices, and they have already been paid in advance.

Sardar Buta Singh : It is because zamindars have no other profession to pursue. They do not know how to run a shop or to do any other business or to get into any industrial concern; they therefore manage to borrow as much money as they can and pay for the land, and when they have lost it they blame their *kismet*. Otherwise he knows fully well that he gains nothing from agriculture. My friend says that they are gambling. What else are they to do? They have no other occupation. Agriculture is the only thing which they can do. Sometime back when His Excellency the Governor paid a visit to Sheikhpura an influential deputation of zamindars including myself waited upon His Excellency and drew his attention to the permanent fall in prices and the need for doing something radical for the zamindars. He at once very kindly acceded to that, and promised that if such conditions continue he would intervene. I think the time has come when something should be done to accept the demand made in this resolution which is so moderate. He is not asking for any proportion of the *abiana* to be reduced, he is not saying that so much should be reduced. He has left it to the committee. The Honourable Revenue Member says, "supposing this committee comes to the conclusion that the zamindar is paying beyond his means and that some reduction should be made, what will happen? Then you will have to find the money to meet the deficit in your income from land revenue." If the committee comes to that conclusion then you must do justice to the zamindar who is paying more than he ought to pay. If reduction has to be made in the *abiana*, then it will be the duty of the Government to appoint another committee to find out ways and means of meeting that deficit. Then, again, the zamindar has to pay not only *abiana*. He has to pay so many other charges. I will give you one or two instances. Take the case of the Public Works Department. They want some earth to put on their roads. Where do they get it from? Only from the land of a zamindar and that too without any payment. I can prove this. Then the hydro-electric towers have been put in the land of the zamindars, but nobody has paid for them. Then minors have been dug through the land of the zamindars, but no bridges have been put on such *rajbahs* although by so doing the lands of the zamindars have been cut away from the main roads. I am a zamindar, and I know it personally that these things have been done. Earth has been removed from my own

[Sardar Buta Singh.]

lands, and yet nothing has been paid to me. Hydro-electric towers have been built in my land, and no bridge has been put on the Jewanpura Minor which has thus cut off my lands from the main roads. I have made so many petitions, but nobody hears. If this is the case with me, what about these illiterate zamindars? Thus there is not only this *abiana* to be paid but there are several things that a zamindar has to pay for. There is *mamla*, there is *abiana*, there is *sisai*, there is *matalba dharat*, and so on. But when we come with this simple and modest request and implore that Government should intervene, it points out its difficulties. I do not think any just Government will refuse such a modest request. With these words I heartily support this resolution.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member): Sir, I am prepared to concede this much that the need for this resolution would not have arisen if the prices had remained at their previous level. I am also prepared to admit that the honourable member's main object in moving this resolution is to secure some relief to the zamindar from the effects of the low prices of agricultural commodities. Let me make my position clear. This committee is being appointed to explore the possibility of giving relief to the zamindar, if as a result of their examination of the whole question of *abiana* it is considered to be necessary. But, is it necessary to hitch on the water rates to prices to secure this? (*An honourable member*: Yes). I am afraid I do not agree with the honourable gentleman.

Chaudhri Nazir Husain: Otherwise there will be no case for reducing the water rates.

The Honourable Captain Sardar Sir Sikander Hyat Khan: I have already conceded that the main reason in support of this resolution is the unprecedented fall in prices. The committee will be at liberty to take the factor into consideration, and will no doubt do so, before formulating their proposals. But as I have already pointed out, price of produce is not the only factor which we have to consider. My point is that it would be contrary to the policy, which I have been advocating for the past 3 years, and also detrimental to the interests of zamindars to base *abiana* rates on commodity prices.

Rao Bahadur Chaudhri Chhotu Ram: Not to-day.

The Honourable Captain Sardar Sir Sikander Hyat Khan: But if we had followed this principle, say, five years ago the rates would have been much higher than what they are at present.

Chaudhri Nazir Husain: Will the Honourable Member for Revenue be satisfied if—

Mr. President: Order, order. The honourable member cannot make a second speech.

Chaudhri Nazir Husain: I make a suggestion.

Mr. President: The honourable member has made a speech, and I cannot allow him to make another.

Chaudhri Nazir Husain: It was not a speech, but an explanation.

Mr. President : Only a personal explanation is permissible at this stage.

The Honourable Captain Sardar Sir Sikander Hyat Khan : My point is that if he accepts the principle which I have enunciated he will be carrying the whole House with him. He must realize that capital invested in these irrigation works was provided by the whole province. The whole province is bearing interest charges on that capital, and it would be unfair and unjust to saddle the rest of the province or 69 per cent. of the population for the benefit of 31 per cent. It is for that reason that I have always stressed the desirability of treating this department as a commercial department. If we do so then no one can reasonably object if we reduce water rates. The *barani* zamindars cannot then say that we are running the department at a loss.

Sardar Buta Singh : They would not say.

The Honourable Captain Sardar Sir Sikander Hyat Khan : If the canals are worked at a loss they cannot be blamed for doing so. At the moment, they are perhaps ignorant and not fully aware of the implications of reduction in *abiana*, but if you insist on shifting a bigger burden on to their shoulders they cannot keep silent for long. If you accept the principle which I have repeatedly stressed, they can have no grievance, as in that case they will continue to get a fair return on the capital invested. I agree that we cannot in discussing these matters altogether ignore the price factor; but the question is whether the honourable member is prepared to accept the policy which I have enunciated. During the course of the deliberations of the committee any member can put forward any proposal he likes. But I cannot accept this resolution in its present form, if the honourable member insists on treating the commodity prices as the basic factor in determining *abiana* rates. If the committee is appointed its members can advance any arguments they like in support of their plea for a reduction in water rates; and I am prepared to accept the resolution on behalf of the Government only on the clear understanding that its acceptance will in no way affect the policy which I have indicated or in any way commit us to the principle underlying the six words which I indicated in my previous speech.

Mr. President : The resolution moved is—

This Council recommends to the Government that a committee consisting of official and non-official experts and a few non-official members of this Council should be appointed to examine and report upon the best means of re-adjusting the existing water rates to the present prices of agricultural produce with as little loss to public revenue as possible.

The motion was carried.

REMISSION OF GOVERNMENT DUES.

Mian Nurullah (Lyallpur South, Muhammadan, Rural), (*Urdu*) : Sir, I beg to move—

This Council recommends to the Government to give remission of 50 per cent. of all Government dues in respect of *rabi* 1933.

[Mian Nurullah.]

It is really very unfortunate that last time we could not get an opportunity to urge upon the Government the very great necessity of reducing water rates and other cesses in regard to the last *kharif* crops as a result of which the zamindars, having had to pay Government dues at a high rate, had to suffer great hardships. It is a pity that a saving of 25 lakhs has been shown in this year's budget which could better have gone to the zamindars by way of reduction in *abiana* and land revenue, but it was not utilised for that purpose. It would have saved the zamindars that great misery which they have to face while meeting Government demands at the ordinary rates. I feel, and feel it very strongly, that this relief is as necessary as oil is to a machine without which a machine stops working, and if it is made to work without that oil, it breaks down. I fear that the machine of zamindars without the lubricant may break at some stage with a consequent loss to all of us. However, there is yet time to save the situation and very fortunately for us all my resolution which again seeks to help the zamindars, has not only been balloted, but I have got an opportunity to bring it before the Council. I am confident that all sections of the House will give their hearty support to it, and will not miss the opportunity to oil the machine which, as I have said, may otherwise break down. That the condition of the zamindars throughout the province is pitiable is too well-known to the members as well as the Government. But this time there are special reasons which have added to the misery of the zamindars and which make it necessary that the concessions demanded should be given. These reasons, I am sure, exist all over the province, but I think I shall do well to confine my remarks to my own district and leave it to other members to explain the conditions of their own constituencies.

I think it will be better if I begin by saying that this time even the elements have been against the zamindars. There was practically no rain. This time even nature did not help them inasmuch as the supply of water in the rivers ran short, as has been admitted by the Government, and consequently at the time of the sowing of the *rabi* crops this year the water-supply in the canals also was short. However, the zamindars, like a speculator and a gambler, sowed *rabi* crops in the hope that the supply in the canals will increase, and they will be able to get sufficient water to water their crops and perhaps rains will also help them. But they have been sorely disappointed because as the officers of the Government are aware, the zamindars could not get the expected supply of water till after the 15th February or rather till the end of that month. Many fields remained '*kor*', that is without second watering. It is, therefore, not very difficult to judge that the yield from the *rabi* crops this year will be even less than one-fourth of the ordinary yield. I know this for a fact and if the Government has any doubt it can ascertain the truth of my statement by sending some officer around. I may as well say that the *kharaba* rules are very stringent and the zamindars cannot rely upon them for relief. Another difficulty about these rules is that those responsible for their enforcement act under a prejudice in favour of their department. They try to allow as little *kharaba* as possible to save the department from any blame whatever, and it is for this reason that in another connection I proposed that the enforcement of these rules should be left to the civil officers who alone could be expected

to act justly and impartially. To revert to my argument I was saying that on account of the rivers going dry this year the water supply in the canals was very short and very irregular. It will be better if, as an instance, I quote the programme of supply of water during the whole of this season in the Gugera Branch in my district. This is as follows :—

<i>Full Supply.</i>	<i>Part Supply.</i>	<i>Nil.</i>
24-9-32 to 17-10-32	.. 18-10-32 to 29-10-32..	30-10-32 to 10-11-32.
	11-11-32 to 16-11-32 ..	17-11-32 to 22-11-32.
		29-12-32 to 22-1-33.
23-1-33 to 2-2-33	.. 23-11-32 to 28-12-32..	3-2-33 to 20-2-33.

Calculating in days one finds that during the whole of this season there was full supply only for 24 days, part supply for 33 days and no water for 53 days.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Does the honourable member mean to say that he can be satisfied only if the canals run with full supply for the whole of the year ?

Mian Nurullah : Obviously the Honourable Member has misunderstood me because I could not possibly mean what he has understood. I have quoted these figures simply to show that during this season the water supply from the canals was much below the normal, and that, therefore, the zamindars could not sow crops as much as they used to sow before, and that whatever they had sown could not properly mature for want of water. Not only the supply was short, but the closures were longer this time, and the Rakh Branch in the Lyallpur district remained closed for full one month except two or three days when drinking water to run the water-works had to be supplied. In Toba Tek Singh where I happened to go in those days the rumour was current that the Government had prohibited the sowing of this and that crop in future. I removed their misapprehensions by stating that there was no truth in it. They had learnt of new colonisation in Sindh, Khairpur and Dhundi Stato, and they came to me with folded hands saying "for God's sake take us somewhere else." They thought, they would have easy time at least for the first 10 or 15 years as they had in the Lyallpur district when it was first colonised. From this you can easily judge what must be the condition of the zamindars. Here I may also inform the Government that the recent rise in the price of wheat has not at all helped the zamindars. They are rather losers by this rise because they have to pay higher prices for wheat than those which they had got when they had to dispose off their own stock. I may also bring this fact to the notice of the Government that its officers give a lot of trouble, and unnecessary trouble, to the zamindars. Even if the Government may have ordered that if the circumstances of a case require the Government dues may be realised in instalments, the officers, anxious to take credit for themselves, insist on full payment at once and thereby cause great hardships to the zamindars. And if a zamindar fails to make full payment even after he is

[Mian Nurullah.]

compelled to do so and goes to the headquarters to make a part payment of the dues say Rs. 200 out of Rs. 800, he has to gratify the petty officials like the wasil baqi navis every time he goes to make that payment while, before, he had to gratify them only once. This is another addition to their already many troubles. He has to pay Rs. 12 instead of Rs. 6 on that account.

Sir, the commissioner visited Toba Tek Singh and the people of that tahsil verbally placed their grievances before him. Here in this paper are published what the zamindars told the commissioner. I shall not waste the time of the House by reading the paper but I shall content myself by pointing out that it is clear from this that the zamindars are really in a very sad plight. There were times when they never dared to talk to the officers in this way but now their very troubles have made them bold to lay their grievances before the officers in this language. I received a letter the other day, a line from which was read in this house, that many lives would be lost and many more shall come to grief if things continue as they are. My honourable friend Chaudhri Nazir Hussain has also mentioned how the Government officers who had gone to realise the Government dues were beaten by the people. All these facts show that the zamindars are very badly hit and they have actually become desperate. Their financial condition is so bad that even if you will grant a substantial remission to them they will not be able to pay their dues easily. Even after remissions are granted to them the Government would find it difficult to realise their demand. When these high rates of abiana and land revenue were fixed the prices of the agricultural produce were very high. The price of cotton had gone up to Rs. 25 per maund and the price of wheat was Rs. 10 per maund. At that time as the zamindars got more prices for their produce they were able to pay more to the Government. Now the conditions have changed. The prices have gone down. The zamindars' paying capacity has also decreased. At that time when they got high prices for their commodities they had to sell a little of their produce of land in order to enable themselves to meet the Government demands but now they have to sell a very large quantity of their produce to pay off the Government dues. Zamindars of many villages have given applications to the Government that they are prepared to hand over all their crops to the Government and let Government sell it or do whatever they like with it and take away all the sale proceeds whether they may be more than their demands or less, and that if the Government gained by this transaction they would not ask them to return the surplus over their dues and if they lost they would not make good the balance.

(At this stage Mr. President left the chair and it was occupied by the Deputy President).

Before the present economic depression, the income of the zamindar was Rs. 100 and he had to spend about Rs. 33 as the cost of agriculture and Rs. 17 as Government dues but now the income has tremendously gone down but with it the demands of the Government have not been lowered although the cost of agriculture has become a little less, say Rs. 25 or thereabout. For the last few years the zamindars have been eating away their capital

by selling their lands, etc. If you care to look at the accounts of mortgage banks, etc., you will find how difficult it has become for the banks to realise their debts from the zamindars. If the zamindars offer tenders for the temporary cultivation of Government land to the extent of Rs. 20 or Rs. 25 per acre it is because the population has increased and on account of this congestion the competition has become keen. They want to get land in order to make their existence possible for the immediate future. They shut their eyes as regards the remote future. They never think whether they will be able to fulfil the terms on which they take leases of lands from the Government. I take an example in order to show how much population has increased during the last few years. In 1896, twenty-seven squares were granted to the people of Talwandi Chak 108, Jhang Branch. The number of the inhabitants at that time was 86 out of which 72 were proprietors and 16 tenants. At present their number has gone up to 968 out of which 450 are proprietors, 85 are tenants and 433 are *kamins*. Similarly the population of all the villages has increased, and it is due to this increase in population that zamindars offer tenders to the extent of 20 rupees per acre. They are only speculating. To compare their case with the companies that take Government land on lease is also a mistake. Companies do it on business lines. They are composed of good business heads well versed in matters relating to agriculture. They can derive benefit out of it. But the zamindars who do not even know the proper person to whom a particular application should be tendered are not expected to carry on their agricultural operations on business lines. The financial position of many zamindars is deplorable. I remember, in a case the court summoned three zamindars to appear as witnesses before it in a certain case. These three men came up for evidence but had nothing to eat. When they appeared before the court they burst into tears swearing that they were hungry ever since they left their home. The court being sympathetic ordered diet money to be paid to them and thus they were able to eat something after missing three meals. This is the condition of the poor zamindars. They have not even got a few pice to fill their stomach in times of need. I do not know how these three witnesses had managed to come to courts and also how they managed to return from there.

Sir, this is not the occasion for the members belonging to the other party to desist from voting for this resolution. Whether they make it a special occasion or not they must vote for this resolution; otherwise zamindars will make it hard for them to live. With these words I commend my resolution for the acceptance of the House.

Mr. Deputy President : Resolution moved—

This Council recommends to the Government to give remission of 50 per cent. of all Government dues in respect of *rabi* 1933.

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (*Urdu*): Sir, I want to move an amendment to this resolution.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Sir, I rise to a point of order. This amendment is not in time.

Mr. Deputy President : An objection has been raised that the amendment is not in time. I, however, allow this amendment under Article 119 of the Manual of Business and Procedure.

Khan Bahadur Mian Muhammad Hayat Qureshi : Sir, my amendment is that instead of the words "remission of fifty per cent." the words "a substantial remission" may be substituted. Sir, whenever we ask the Government to grant us remission in all their dues to the extent of 50 per cent. they always tell us that that is an impossibility, for by granting remission to the extent of 50 per cent. the remaining revenue of the Government will not be sufficient to run the Government. Therefore in order that the Government may not bring forward this excuse again I have moved this amendment. I have by this amendment taken away this excuse from the mouth of the Government. According to this amendment the Government will be able to grant as much remission as it deems fit and at places which, in its opinion, deserve it most. I think the Government would not object to this resolution in its amended form. I may explain to the House as well as to the Government benches why this remission has been necessitated. *Toria* is a very important crop in the canal areas. It must be known to the Honourable the Revenue Member and the Honourable the Finance Member that on account of the decreased water supply in the rivers the *toria* crop was sown very late and in addition to this as compared with the previous years, this year the winter was more severe. This also adversely affected this crop. Consequently the yield from this crop was too much below our expectations. Moreover a large quantity of *toria* was so bad that it did not sell in the market. The same was the case with wheat. The yield was not normal and the reasons for this bad harvest were the same as already explained. As regards the area where crops depend upon rainfall the yield from different crops was very meagre and the cause of it was the scarcity of rain. In view of the bad harvests it is necessary that the Government should grant some remission in their dues. I do not mean that the Government have not been considerate in the realisation of their dues. They have been considerate. They have been granting remissions. What I mean is that they have not shown any generosity as regards the last *kharif*. On account of the failure of rain at the proper time the cotton crop was bad and the price of cotton has gone down to Rs. 5 per maund. Therefore it is difficult to meet the Government demands. Many lakhs of rupees of land revenue are due from the Sargodha and Bhalwal tehsils of the Shahpur district. The inhabitants of these tahsils are very prosperous and the land is also very fertile but still they have not been able to pay off all the Government demands. It is impossible for them to pay them off. The revenue staff has done everything to realise these dues. But they have failed. Many lambardars have been suspended and the cattle and other furniture of many people have been auctioned. But still the Government has not been able to realise its dues from them. This does not mean that the zamindars do not want to pay the Government dues. They do want to pay it but they cannot. They have not got the means to pay the *abiana* and land revenue. The Government generally depend for the realisation of their dues on the *kharif* crops. But the *kharif* crops are bad and there is no hope of zamindars getting any thing out of it. As regards the *rabi* crops, Government cannot expect to realise their dues from their proceeds. In view of all that I have explained the Government should show generosity and give to the zamindars some substantial remission in all their dues. Let them not think that it has become a habit with the

zamindars to make requests for remissions every time. It is a fact that their condition is very miserable. They cannot afford to pay. When they were prosperous they never delayed the payment of the Government dues. They paid it gladly. It is very important that some remission is granted to the zamindars. I do not want to fix the percentage. I leave it to the Government to give as much remission as it thinks reasonable and at places where it is required most. It is very important that the zamindars should be given remission. In case they are not given any remission it is feared that it may adversely affect the interests of the Government as well as of the people of the whole province. With these words I move my amendment.

Mr. Deputy President : Resolution under consideration, amendment moved :

That for the words " remission of 50 per cent." the words " a substantial remission " be substituted.

Mr. F. H. Puckle (Financial Secretary) : I do not intend to make a controversial speech. But the remarkable part about the speeches that have so far been delivered on the original resolution and on the amendment is the utter absence of any figures except the figure " 50 ". The honourable mover who, as I see, was not in his thoughtful mood as a student of economics but was in his mood as a faithful member for Lyallpur constituency, was talking so loud and so fast that it was difficult to understand what he was saying from those benches. But still I could make out that, excepting some figures regarding dates, there was not a single figure in his speech. That means to say that not only is this House in ignorance as to why he chose 50,—why not 100 per cent. ? Why not 10 per cent. ? or 75 per cent. We do not know that—but also by virtue of the amendment of my honourable friend from Shahpur this House is still more in the dark as to what he is fighting for. " Substantial remission." What is substantial ? My honourable friend, the member for the landholders constituency is substantial in one way and I am also substantial. But there is a great difference between us two. We have not heard anything which can give us an indication of what the effect on provincial finance will be if this resolution either in its original form or in its amended form is carried. I therefore propose if you will allow me, to remedy this and I have these figures as figures which could be verified by anybody and I give them in no controversial spirit. The total amount provided in the budget as revenue from water rates and from land revenue—that is to say under land revenue proper under head V—is 8,55 lakhs. It is not possible accurately from the figures that I have been able to obtain to make an accurate division between the receipts for *rabi* and the receipts for *kharif*, but I think the House will agree with me that we shall not be far wrong if we put them at half and half. So we will take 4,27 lakhs as the estimated receipts from land revenue and water rates for *rabi* 1933. The original resolution asks for a 50 per cent. reduction in all Government dues. I do not know what the honourable mover means by " all Government dues ". We will take it that he means only land revenue and water rates, that is 4,27 lakhs. Half of that will be 2,13 lakhs. So the honourable member's original motion involves a sacrifice by Government of 2,13 lakhs of rupees. The total estimated revenue for next year is 10,54 lakhs. If this resolution is carried in its original form and Government implements it, our revenue next year will be reduced to 8,41 lakhs.

[Mr. F. H. Puckle.]

Our estimated expenditure, leaving aside interest payments and payments towards pension and including the provision for 15 lakhs towards our overdraft which the House approved during the budget debate, comes to 9.85 lakhs. So the honourable member's proposal will leave us with an uncovered deficit on revenue account of 1.44 lakhs, about 15 per cent. of the total. Now how does the honourable member from Lyallpur propose to meet it? (*Interruption.*) Some one says he does not propose. I think that is the real answer. He has not thought of it. What does he propose to do when this province is faced with a deficit of a crore and-a-half? Does he suppose that if we went out into the market here say next March and say "lend us 1.50 lakhs because we have given this away and unbalanced our budget", we can get the money? Does anybody suppose that the Government of India is going to lend us this money? Certainly not. Then you get down to the bald question how if this resolution is carried, is the expenditure going to be met? I have no suggestions to make. The budget is out to the bone. I explained during the budget debate that there are very definite limits to further economies. Even if we could cut the salaries further we should not get more than 25 lakhs.

I will now turn to the amendment of my honourable friend from Shahpur. As I say I do not know what he means by "substantial". But I will for the benefit of the House give them a few figures of various assumed estimates of what the results of substantial remissions might be. Let us suppose that he means by substantial 40 per cent. That will mean a remission of 1.72 lakhs and it will produce a deficit of 1.03 lakhs. Let us suppose again that "substantial" means one-third. That would produce a remission of 1.45 lakhs and a deficit of 76 lakhs. Let us suppose again that he means 25 per cent., and I do not suppose he considers anything less than 25 per cent. as substantial, that means a remission of 1.08 lakhs and a deficit of 39 lakhs. It is for this House, after taking these figures into account, to come to a decision.

At this stage Mr. President resumed the chair.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I do not think I am in a position to accept the amendment on behalf of the Government even in the modified form as proposed by my honourable friend from Shahpur. But if the honourable member would add two more words to his proposed amendment, namely, "if necessary", it may be possible for me to accept it. My point is that it is quite possible that the price of wheat might go up later.

Mian Nurullah : The Honourable Revenue Member said last time that the price of cotton would go up, whereas it went down by Rs. 1-8-0.

The Honourable Captain Sardar Sir Sikander Hyat Khan : It went up last year after the remissions, it did not this year, unfortunately; that is why those who were holding back their cotton—including myself—in the hope that the price would rise, suffered. As I have already explained it is quite possible that the conditions might change. They may be worse or they may be better. If wheat goes up to say Rs. 4, then, my honourable friend opposite will concede, it will not be necessary to give any remission, at any rate not to the extent proposed by the honourable mover. On the other hand so far as *abiana* is concerned, we have already agreed to appoint a committee and it is possible, that if relief is given in the shape of reduction

in *abiana*, it may not be necessary to give relief by way of remission in land revenue. Again the question of re-settlement of Lyallpur is under consideration. If it is decided that Lyallpur should be reassessed and it results in lowering the incidence of land revenue, it will not be necessary to give any further relief on the lines indicated in the resolution or the amendment. In the circumstances unless the words "if necessary" are added at the end I cannot even consider the amendment, much less accept it.

Mr. President : Resolution under discussion : The question is :
That for the words "remission of 50 per cent." the words "a substantial remission" be substituted.

The Council divided : Ayes 32 ; noes 25.

AYES.

Thakur Pancham Chand.
Chaudhri Nathwa Singh.
Lala Bhagat Ram.
Chaudhri Bansi Lal.
Lala Ramji Das.
Khan Bahadur Mian Ahmad Yar
Khan Daultana.
Sardar Bahadur Khan.
Khan Bahadur Mian Muhammad
Hayat Qureshi.
Khan Bahadur Malik Muhammad
Amin Khan.
Chaudhri Allah Dad Khan.
Khan Bahadur Captain Malik Mu-
zaffar Khan.
Khan Haibat Khan Dahi.
Chaudhri Nazir Husain.
Sayad Mubarak Ali Shah.
Khan Bahadur Sardar Habib Ullah.
Chaudhri Faqir Husain Khan.

Khan Sahib Risaldar Bahadur Nur
Khan.
Makhdumzada Sayad Muhammad
Raza Shah Gilani.
Maulvi Inam-ud-Din.
Raja Muhammad Sarfaraz Ali
Khan.
Mian Nurullah.
Rao Bahadur Chaudhri Chhotu Ram.
Pir Akbar Ali.
Shaikh Muhammad Sadiq.
Chaudhri Ram Sarup.
Chaudhri Muhammad Abdul Rah-
man Khan.
Sardar Buta Singh.
Sardar Bahadur Sardar Mohan
Singh.
Sardar Gurbachan Singh.
Sardar Sampuran Singh.
Sardar Bishan Singh.
Sardar Jawahar Singh Dhillon.

NOES.

Mr. D. J. Boyd.
Mr. H. Calvert.
Lala Labh Chand Mehra.
Mr. E. Mayadas.
Dr. (Mrs.) M. C. Shave.
Khan Bahadur Mian Mushtaq
Ahmad.
Sardar Bahadur Captain Sardar
Janmeja Singh.
The Honourable Dr. Gokul Chand
Narang.
The Honourable Malik Sir Firoz
Khan Noon.
The Honourable Sardar Sir Jogendra
Singh.
Mr. P. Marsden.

Mr. R. Sanderson.
Mr. F. H. Puckle.
Mr. B. P. Hadow.
Mr. H. R. Stewart.
The Honourable Sir Henry Craik.
The Honourable Captain Sardar Sir
Sikander Hyat Khan.
Mr. J. W. Hearn.
Mr. C. C. Garbett.
Khan Sahib Shaikh Fazl Ilahi.
Mr. S. L. Sale.
Mr. Manohar Lal.
Mr. Owen Roberts.
Sardar Bahadur Sardar Sheo Narain
Singh.
2nd.-Lt. Sardar Ram Singh.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhamadan, Rural): Sir, I rise to support the resolution under discussion as amended by my honourable friend from Sargodha. The condition of zamindars has been dinned into the ears of the Government members off and on, but it is a pity that up to this time it has not made any lasting impression on their minds. Whenever we begin to plead for the unhappy condition of zamindars, whenever we begin to speak for the miserable condition of zamindars, the Government members put one hundred and one excuses. The last Government member, Mr. Puckle, who spoke on this resolution, is not in his seat. The speech he made was nothing but a set of figures, so I am quite correct if I figuratively call him a calculating Nadab. This sordid calculation is the characteristic of the money-lending people. I do not think Government has come to that position in which money-lending people calculate and realise even a single pie from their debtors. We say zamindar is in a pitiable condition and the Government should take note of this. Government should give relief to the zamindars and must not put forward one excuse after another. The Government member says that if the original resolution is carried into effect 50 per cent. remission would be given, and he says that if the remission is given at the rate of 50 per cent., the land revenue for the Punjab would be 8 crores and 41 lakhs. (*An honourable member*: Not land revenue). I say even if it is 7 lakhs it does not matter, but relief to zamindars must be given. This calculation would not do. Did you make these calculations during the War as well? During the War the zamindar was the first to give help to Government with money and men, and now when he is in such a sad plight, the Government should come forward to help him at such a crisis. The Government should not put forward the excuse that our calculation would be upset if this remission is given. Is this a reasonable argument? If your calculations will upset the figures it does not matter. It does not matter in the least. The resources of Government are large, the money will be forthcoming. The Government should not bother about this. Now the only thing to be considered is that the zamindar must be saved from the utter helpless condition in which the circumstances have placed him.

I want to say one thing. If we carry this resolution, the Government must give effect to it and I have many times explained to the Government the necessity of respecting the wishes of this Honourable House.

Mr. President: The honourable member should speak to the resolution now before the House.

Chaudhri Allah Dad Khan: Very well, Sir, I say that if the zamindars are not given this relief, it will be a sad thing for them; whether your administration becomes upset or not, zamindars would be destroyed, would be swept away from the face of the earth. During the last crop no remission was given. There are no harvest worth the name. The zamindar is hard hit by the Government in charging full land revenue. The zamindars cannot pay this land revenue. The Government has already realised even the last pie from them. My honourable friend has rightly remarked that Government cannot recover the money from the zamindars. I may tell you that the zamindars have no money left, they have absolutely no wish to withhold the payment of Government dues, but when they cannot afford to pay, when they have not got a single pie with them, how can they pay to the

Government? The zamindars have curtailed all their expenses, but even then they cannot pay land revenue, just as the Punjab Government after the curtailment of all its expenses is still unable to pay her debt of 48 lakhs to the Government of India. (*An honourable member* : Question.) Well it is some lakhs. This debt was put up for payment this time in the Budget to the Government of India. I am speaking of this debt. Anyhow the Government should realize that after curtailing all their expenses, even their daily necessities, the zamindars cannot pay anything. They have no money with them at all. They are expected to pay on the basis of figures which were obtained during the settlement when the prices of agricultural produce were very high. They were three times high if not more and the land revenue was based on those prices. But now the prices have fallen very low; they have fallen three times below that standard. Therefore the land revenue *ipso facto* should be reduced to that extent. As there is a persistent demand for curtailing my speech I do not think I should make further remarks. I conclude my speech by quoting one Persian couplet :

اگر در خراب بیدوشی نباشد کوشها صائب به رفعمے توان تقریر کردن داستانے را

Only one word is sufficient for describing in full the condition of the zamindars and the necessity of Government help. The Government should come forward at this juncture and save the poor zamindars from being effaced from the surface of the earth. With these few words I support the motion.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muhammadan Rural) (*Urdu*) : Sir, I rise to lend my whole-hearted support to the resolution moved by my honourable friend Mian Nurullah. Before proceeding to emphasise the necessity of giving the proposed relief to the zamindar, I should like to point out his position amongst the various units of humanity. Just as Almighty has created so many angels to perform various functions in his kingly domain, He has made the zamindar an angel whose work it is to provide food to the world at large. And then as the sun and the moon diffuse their light to all quarters of the globe the zamindar distributes food to each and every person on the surface of the earth. Government, sahukar, tradesman, all look to him for sustenance. Particularly in our country everything depends upon the prosperity of the zamindar. It is because there is no industry in our country except agriculture. In other countries there are large and numerous factories where all sorts of articles of everyday utility are manufactured. Beginning from big locomotives to the smallest needle everything is manufactured there. Then there are oilfields in some countries. There are other countries which make enormous sums of money by governing over lands other than their own. But we have only one source of income and that is agriculture. So when that source is adversely affected in any way there is no way out of our difficulties. All of us know that everything else in our country is precisely in the same condition as it has been. Factories, trading agencies, motor-cars and other vehicles of conveyance are running their business briskly enough and with usual rapidity but notwithstanding all this every one is feeling the pinch of acute financial embarrassment. And what is it due to? It is because the zamindar is hard hit on account of the unprecedented slump in the market and un-heard-of fall in the prices of the agricultural produce. So,

[Ch. Muhammad Abdul Rahman Khan.]

if the Government grants any concession to this food-providing angel they will be doing an act of kindness to every one living in this country. And if, on the other hand, they refuse to extend a helping hand to the zamindar the whole country will find itself face to face with untold misery and starvation. Apart from his duties as a food-giver the zamindar performs diverse other useful duties for the sake of all and sundry. When the revenue officers go on tour it is he who helps in pitching their tents wherever they go and conveying their luggage from one place to another. Even if it be the time of sowing of the seed and he be badly in need of his bullocks and his cart, he has to convey the luggage of the officers by his bullock cart. In short the zamindar has to perform the greatest and the meanest tasks alike. At the time of war he is the right arm of the Government and the strongest friend that can fight their foes. So the Government will be only too well advised to accede to the request of this allround champion of theirs before it is too late. Moreover the help which the Government is requested to give is not asked for as a matter of favour either. It is asked for as a matter of right. At a time when wheat was selling at the rate of 8 seers a rupee and sugar at the rate of 4 seers a rupee the rate of Government dues was precisely the same as it is now when wheat is selling at the rate of Re. 1-8-0 per maund (rate prevailing during the last *rabi*) and *gur* is selling at the rate of Re. 1-4-0 per maund. A moment's consideration will convince any fair-minded person that the Government's persistence in demanding the same rate of land revenue is highly unjust.

Furthermore, I should like to enlighten the House about another great difficulty of the zamindar. People of every trade and profession have fixed hours of work after which time they can enjoy a well-earned rest. Even the prisoners in jails are awakened at 8 o'clock in the morning and they work up till 4 in the evening. Then they have permission to rest and repose. But the zamindar cannot rest because he has no fixed hours of work. I am one of those zamindars who undergo all these hardships. Government members who represent the zamindar interests are also unaware of the hardships of the zamindars because they are big zamindars themselves who possess hundreds of squares of lands each. And most of the other members of the House are also very big landlords. Most of them are owners of 500 or 600 squares of land. So they also cannot be expected to know a great deal of the difficulties of the poor zamindars who own hardly a few bighas of land each. Sir, there are many amongst them who spend their time only with a loin-cloth on and cannot afford to dress even in the coarsest homespun.

How can those people who cannot spend their life comfortably unless there are as many as dozen men to serve them ever know the difficulty and judge the misery of those who in spite of such a low standard of living cannot afford to keep the body and soul together? I am at a loss to understand why the poor zamindar's services are not appreciated and something done to ensure a prosperous living for him. The Government is very indulgent to the urban people. Unless and until one earns more than one thousand rupees a year the Government does not demand a pie from him by way of tax. It means that Rs. 1,000 is considered barely sufficient to meet the requirements of an urban household. But even if a zamindar possesses

a marla of land the Government presses their claim of a share in his income. That is, I should say, anything but a fair attitude on the part of the Government. This year the zamindars sold their fodder at the rate of 15 maunds per rupee and now when they needed it most for their own cattle they had to buy at the rate of one maund per rupee. In this manner one rupee's debt that was incurred for the purchase of fodder would rise by not less than four rupees owing to the two-fold reason of selling at a low rate and purchasing the same commodity at an excessively high rate. Hitherto the zamindar has met his obligations by either pawning his jewellery or disposing of his land. But now he has exhausted all his resources. He is now on the verge of starvation. There seems only one way out of his difficulty and that is suicide. I had to say a good many things more but the members of my party are repeatedly asking me to wind up; so I will resume my seat after making a few observations more. (*Voice* : No, no. Go on with your speech.) (*An honourable member* : The honourable member has said a good deal in support of the resolution and he would do well to finish his speech.) Sir, I know perfectly well that the Government is quite adept in winning people to their side and convincing them of the advisability and justifiability of their attitude. Even when they are taking any step which is conducive to their own interests and detrimental to those of the zamindars they can complacently come forward and argue that they are moved by a deep sense of altruism and there is not a grain of self-interest in the policy pursued by them. I am reminded of an interesting anecdote in this connection which I would like to narrate to elucidate my point. There was once an old village woman named Lado. She took a silver rod, five seers in weight, to the shop of a silversmith and asked him to make ornaments of it. She requested him to do his work skillfully and promised to give him some cotton and sugar in addition to his wages in case he worked up to her satisfaction. But when after some time she went to his shop to fetch her ornaments he handed a small ear-ring to her and said that that was all he could make of her silver. The poor woman was shocked to hear that five seers of silver had brought her only a small ear-ring and she began to weep and wail aloud. The cunning silversmith turned with asperity upon her and said with great hauteur in his tone "Old woman, do you not know that I had to keep your silver rod in my house for a pretty long time where it was eaten up by insect pest? Then with great difficulty I made this beautiful ear-ring out of the remaining block of insect-eaten silver. Out with my wages and give me the promised reward of cotton and sugar." In the same manner the Government burdens the zamindar with unbearable obligations and then demands his gratitude for its 'sympathetic attitude towards him.' Sir, I want to urge through you upon the Ministers and through the Ministers upon His Excellency the Governor that it is justice which consolidates a Government and injustice which proves the destruction of it; so our Government would do well to come to the aid of the poverty-stricken zamindars before it is too late to mend matters and to save the situation. With these words, Sir, I support this resolution.

Mr. H. Calvert (Financial Commissioner) : Sir, I do not think that any section of this House will doubt my statement when I say that no one who is so intimately connected with land problems and land administration in this province as are members on these benches will fail to understand

[Mr. H. Calvert.]

or appreciate and sympathise with the very serious position of agriculture and of agriculturists of all classes (*hear, hear*). Not a day passes when this question of severe and cruel depression does not come before us in one form or another. We, Sir, admit and fully admit that the agriculturists of this province have been passing through a very serious time indeed (*hear, hear*), and we are prepared to admit that although the clouds are definitely lifting the position for most of them is still serious. Now, Sir, having said that, I must protest against the wild charges of the honourable and distinguished member from Rohtak. That honourable gentleman has on three occasions said that zamindars have been forced to sell their daughters and on all these occasions I questioned that statement and yet he has never substantiated that or given any single instance of anyone selling his daughters. It is a statement I saw in the famine report of 1793 but I have never seen it mentioned in any other report later than 1866. Now, we on this side have tried our best with all our ability and with all the resources at our command to ascertain the truth about the present agricultural position. Surely, all members will admit that agriculture in this province is in a very serious condition, but, although in the estates under my superintendence, I have to meet a very embarrassing position I can assure my honourable friend opposite that I have never yet sold any of my wards, daughters or any part of the estate to pay Government dues, and what is more surprising I have been left with a balance which any landlord outside the Punjab would regard as a very handsome rent for his land. I should like also with your permission to protest against the statement made in the House that revenue officers derive their facts and base their information on lying statements supplied to them by zaildars and lambardars and petty officials. We may be very polite to our visitors, but whenever we think that a visitor is stretching a point in his favour we usually see that and we take his statement for what it is worth. We can form a very shrewd guess as to where the truth lies, just as in another sphere we can form a fairly shrewd and accurate guess when a lawyer knows he has a bad case. About three years ago the situation in this province was very serious indeed but we have definite evidence of a steady improvement in the position. Three years ago the average rental paid on

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temporary cultivation in the Nili Bar was about Rs. 6 per acre, next year it rose to Rs. 9, and now it is about Rs. 15. These are bids made by adult, and, I presume, sane people. They have not made these bids at any auction but they are calculated cold blooded bids, and they show a very satisfactory rise and indicate a revival of confidence in agriculture. I must not be interpreted as saying that the old days of prosperity have come back. I know fully that these days are not likely to come back within our memory, but I do say that we are getting back to more normal times after that almost hectic wave of prosperity and after the equally desperate trough of low depression. In one of the questions in this session the honourable member for Rohtak put some queries about a publication of the Board of Economic Enquiry. That is a very detailed inquiry into the costs of various cultivators and that inquiry showed that the tenant was at the bottom of his resources, he practically got very little for himself after meeting his rent, but it also showed in equal detail that the landlord was still receiving a very fair rent for his land. Now, the honourable member for Lyallpur took the particular case of his own

district, but he lost sight of some rather salient facts. We admit that the sowing of *rabi* in Lyallpur as in other canal irrigated areas is below normal but the real reason is not what the honourable member would like us to believe—the shortage of canal water, but that the zamindars gamble. He had put down for *kharif* a far larger area than he could possibly mature on the water available, and when the monsoon failed from mid-August onwards he had to use for his cotton the water given to him for *rabi* sowing. Over the whole province the wheat area is slightly below normal,—about 9 per cent. less than last year. In Lyallpur it is nearer 20 per cent. but you must recollect that in a district like Lyallpur under fluctuating assessment the decrease carries its own relief from land revenue. Although I did my best to follow the argument of the honourable member I did not gather that he was stating that the yield was poor. We admit that the acreage is lower than normal, but there is a prospect of fairly high outturn. Then he thinks that in Lyallpur the area under *rabi* is below what it has been in previous years, I may state for his information that it is still above the project figures. The Lyallpur zamindar is supposed to have sufficient water for 75 per cent. of its area and he used to be cultivating 120 and he is still running to about 100 per cent., as compared to 75. Sir, something has been said about the evidence given to us by those who tendered for temporary cultivation. The total area under temporary cultivation in this province is very considerable indeed. In the Nili Bar, Chenab Colony, Chunion, and elsewhere our lands are so extensive that they may be safely taken as an index of the position. I may say, that those who think that we are lacking in sympathy with zamindars, may be interested to know that about the very time when these high tenders were being given in the Nili Bar, Government was considering a proposal of mine to make a substantial reduction in *malikana* which was accepted and was announced by the Honourable Revenue Member yesterday. Reply has been made to the Honourable Revenue Member that these high tenders are in some way due to the resources of the large corporations like the B. C. G. A. That is not correct as far as I can read things. In the first place I may be allowed to say that the tenders for Nili Bar are not our only source of information. I have taken the trouble to obtain from district judges figures showing what their incomes are for the estates of minors under their control under the Guardians and Wards Act. I do not think district judges are in such a good position to get the best returns from landed estates as the Court of Wards and I think that their figures may be taken as somewhat on the low side. In Lyallpur I find that the district judge was getting from 250 to 300 per square after meeting all the charges. Elsewhere I find the district judge getting 200 to 250 per rectangle after meeting all the charges, giving a fair net rental of 8 to 10 rupees per acre. It is not what a zamindar in this province was accustomed to in the fat years, but Rs. 8 to Rs. 10 an acre would exceed the wildest dreams of an English landlord at this time. But I do not wish to suggest any doubt about the seriousness of the situation but as I have said we believe that the clouds are lifting. It has been shown by a series of successful auctions in a number of *mandis* up and down the province where prices have gone even above our expectations. The suggestions, apparently entertained in some quarters of this House, that the high tenders received in the Nili Bar are due to B. C. G. A., may I think be easily dispelled by quoting a few instances. The point is that the B. C. G. A. have been over and over again outbid by other

[Mr. H. Calvert.]

people, by people who belong to various classes and communities. In the first instance B. C. G. A bid Rs. 15-8-0 per matured acre and another gentleman bid Rs. 18-4-0. In two cases the B. C. G. A. were outbid by retired *sahsildars*. In a whole series of cases they were beaten by zamindars of the locality, *orains* and *kambohs*. In many cases they have been beaten by contractors or other firms. Looking over this list we are struck with the fact that these high tenders are not of one individual corporation but representative of a very large number of people. Indeed in most cases we had a whole series of tenderers. And the number of tenderers suggests that the feeling of confidence in agriculture is very fairly held. I hope I have said nothing to suggest that we fail to appreciate the continuing seriousness of the present position, nobody who has to administer estates under the Court of Wards can possibly fail to appreciate the unhappy position which our agriculturists now find themselves in. But the important point is that nothing can be gained from exaggerating the case. We admit that the zamindars are hard hit, but conditions are nothing like what honourable members would have us believe. We have figures carefully collected from every possible source, not from the source which the honourable member for Rohtak thinks we rely upon, but from every possible source from all over the province. We are, therefore, in a position to give a fairly good judgment on the present situation in this province. I have been recently allowed to see a series of privately kept accounts, and I can say that as far as actual agricultural work, omitting horse breeding and mule-breeding, is concerned they have this year fairly satisfactory prices. The old accounts showed a desperate position but the later accounts show a distinct turn of the tide which I hope will continue and will finally bring back the zamindars of this province to a reasonable state of prosperity. I think if honourable members will be so kind as to give consideration to what I have said they will see that even in this province our land revenue demand is still round about $\frac{1}{3}$ or $\frac{1}{4}$ of the rent. There cannot, therefore, be any question of hardship.

Rao Bahadur Chaudhri Chhotu Ram (South-East, Rohtak, Non-Muhammadan, Rural) : I strongly support the resolution in its amended form. When the honourable Secretary for Finance was speaking he made a complaint that no figures had been given by any non-official member who had spoken so far. It is true that non-official members are not in a position to quote exact figures nor do I claim to be able to do so. But I can certainly place him on the track to get correct and exact figures.

Now, so far as the figures relating to closures and running of canals are concerned, they were given by the honourable mover of the original resolution. They were that for 24 days canals in certain parts of the Lyallpur district ran at full supply, on 38 days at part supply and for 58 days the supply in these canals was nil. Now these figures are quite exact and they are based upon the answers that have been given by official members to questions put by non-official members of this House. When we find that the figures of full supply, part supply and no supply compare very unfavourably with corresponding figures for normal years, we should treat them as a very plain indication of the fact that the Irrigation Department has not been able to serve agricultural classes to anything like the extent to which it is expected to serve them.

Again, I may also draw his attention to certain facts which were disclosed by the Honourable Member for Revenue as to the area sown in certain parts of the province, and the proportion which that area bears to the area sown normally. There again he will find that the figures of area actually sown this year compare unfavourably with the normal figures for other years. This is not all. There are parts of this province in which gram was sown, wheat was sown, barley was sown, but owing to adverse conditions no crops remained in existence to mature. There is yet another factor which may be taken into consideration. For areas which though sown, failed to mature any crops, the zamindar has not only lost all possible produce of the soil but he has also lost the seed that he sowed on it. He had to pay the price of the seed into the bargain apart from the loss that he suffered on account of there being no return from the area sown.

There are just a few points which were raised by the honourable Financial Commissioner to which I would like to reply. He said that there was a charge that the zamindar has had to sell his daughters in some cases to pay Government dues. To refute this charge he vehemently maintained that though he was in charge of several estates—court of wards estates—yet unfortunately on none of these estates were the zamindars compelled to sell their daughters to pay Government dues. I admit that they were not, but does he really mean to say that court of wards estates stand on the same footing as 48 per cent. uneconomic holdings which is an estimate formed by himself in another capacity not many years ago as the general run of holdings in this province? After all the number of court of wards estates is very limited, and so is the number of other big holdings. But when I speak of zamindars I speak of the ordinary zamindars with small holdings and any figures and any estimates that the Financial Commissioner may have formed on the basis of the returns furnished by the court of wards estates or other big estates will be no indication whatsoever of the actual condition in which the ordinary zamindars find themselves.

Again, I beg to submit that when a zamindar is forced either to sell his cattle or to sell his daughter he does not report the matter to the Deputy Commissioner. He does not tell him that he has had to sell his daughter, he will not tell such a thing even to his friends and relatives, because after all the sale of a daughter is a most humiliating and disgraceful affair. That accounts for the fact that the Financial Commissioner has not been able to come across a single case in which a daughter has had to be sold in order to enable a zamindar to meet his obligations. (*An honourable member* : Have you come across a case yourself ?) It is about eighteen months ago that the honourable member who represents the rural Lyallpur Muslim constituency made in his speech a mention of a daughter having been sold. Then I have a recollection of reading at least three times in vernacular papers about the sale of daughters. I do not pretend to say that any daughter was sold in the province either in the presence of any of the members of the Council or in the presence of any other non-official outside. If such a deplorable thing has to be done it will naturally be done in secrecy. I cannot swear to the charges being correct but the fact that they are repeated so often in this House as well as in the press goes to show that such cases might have occurred and might occur again without the knowledge of any of us.

[R. B. Ch. Chhotu Ram.]

It was further claimed by the Financial Commissioner that his information was derived from so many diverse sources that it could not but be correct. One of the sets of figures on which he commented related to tenders offered by the British Cotton Growers Association. Another related to tenders by ordinary zamindars. But he demolished his own theory by stating that he voluntarily lowered the rates of *malikana* which had prevailed hitherto. But the discarded scale of *malikana* rates would have been perfectly justified if these tenders had been an economic proposition. I maintain that if the tenders offered had been a true index of the market rates the Financial Commissioner would not have lowered, and would not have been justified in lowering the rates of *malikana* hitherto charged from zamindars. In spite of the indication that was given by these tenders the Honourable Financial Commissioner was pleased to lower the rates of *malikana*. Why? Because he knew in his heart of hearts that these tenders did not furnish a reliable indication of the actual state of things.

He also based his argument on certain figures supplied to him by district judges in respect of the estates of minors. There, again, if any member of this House put a question and in pursuance of this question an enquiry was made as to the number of people who had taken on lease or on contract the estates of minors in the charge of district judges it would be found that there have been many cases in which those people who had either bidden at the auction sale of leases of minors' estates or who had otherwise taken minors' estates on leases or contracts had made applications to district judges to relieve them of the obligation under their contracts. Therefore I beg to submit that the figures at which the Financial Commissioner has arrived are not necessarily a safe basis for the conclusions which he has drawn.

Again, Sir, he made a reference to some other estates which were not being cultivated by zamindars themselves, which were not in the possession of self-cultivating owners, but were being cultivated by tenants. I admit that up to the present moment the tenant works hard and the fruits of his labours do not go to him to the extent to which they should go but go to their landlords. The big landholder may still be in a position to earn something per square, but it is perfectly true that the tenants do not get even half of what they deserve. But as I have already submitted the number of big landholders in this province is very small and therefore, this factor should not be taken into account. What the Government ought to take into account is the large body of small zamindars who are unable to make the two ends meet by what they are able to earn from their lands. With these words I bring my speech to a close and lend my support to the resolution as amended.

Mr. D. J. Boyd (Financial Commissioner): Sir, this resolution is a very serious one for me because it is my duty to advise Government whether any special remission should be made with regard to the coming harvest or not. I have therefore listened carefully and with very great interest indeed to learn what grounds exist on which a special remission should be made. I may say in passing that the resolution in its original form made one despair of the political sanity of our politicians and if that is the sort of wreckless proposal that is going to be made in the future, then heaven help us under the new constitution. The resolution as now amended is a more reasonable affair. But what is the reason why Government should make a

special remission of land revenue in the coming harvest? One of the reasons that have been given is shortage of water in the canals. That has been a very serious matter but as the canal irrigated districts are practically all, if not all, under a system of fluctuating assessment the shortage so far as the sown area is concerned, is allowed for by the fluctuating system of assessment. With regard to the outturns we have still to see what they are, but the estimate made by the Agricultural Department which has its officers all over the province is that the outturn of this harvest taken all in all will not be less than 86 per cent. of the normal.

Another reason that was given was frost. Now, natural causes are provided for in our land revenue system either by the fluctuating system of assessment or by suspensions and remissions under the ordinary rules. I think the ordinary rules are adequate to deal with losses suffered by the zamindars in the coming harvest so far as these losses are caused by natural causes.

Now remains the question whether the land revenue should be reduced because of the fall in prices. I have here a list of prices adopted at the last settlements in all the districts of the province. Looking down them I find that in very few districts was wheat selling at a price anything like as high as the prices at present prevailing in the market. We have, for instance, the districts of Rohtak and Gurgaon where the price of wheat at the time of last settlement was Rs. 2 a maund; in Ambala, Rs. 2-8-0; Kangra, Rs. 2; Hoshiarpur, Rs. 1-14-0; Jullundur, Rs. 2-6-0; Ferozepore, Rs. 2-4-0; Amritsar, Rs. 2-4-0; Sialkot, Rs. 2-2-0. It is only in the comparatively recent settlements made when high prices were prevailing during and immediately after the war that the commutation price has been taken at Rs. 8 or more. Thus in the district of Gujranwala the price on which assessment has been made is Rs. 8; in Sheikhupura, Rs. 8; Gujrat, Rs. 8, in Lyallpur, Rs. 8-12-0 and Rs. 8-10-0; Jhang, Rs. 8-2-0 and Rs. 8-6-0; Multan, under Rs. 8. It will thus be seen that there are only a very few districts in which a rate as high as Rs. 8 was taken for settlement purposes. Now, if you look at the wholesale prices at present prevailing according to the latest issue of the Gazette, you will find that the prices are as follows:—Ambala, Rs. 8-6-0 and Rs. 8-8-0; Jullundur, Rs. 8-4-0; Ludhiana, Rs. 8-8-0; Lyallpur, Rs. 8-1-6; and Multan, Rs. 8-6-0. It will be observed that the wholesale prices of wheat are in practically every case higher than the commutation price adopted in the last settlement. I should therefore like to know on what grounds special remissions should be made; because if a good ground exists it will be my duty and pleasure in a way to place it before the Government. I cannot possibly rejoice in any hardship of zamindars. If one looks at the prices of gram, he will find the same results. There is no doubt whatever that the commutation prices in almost all cases except the Lyallpur Colony were lower than the present wholesale prices.

One honourable member, Chaudhri Allah Dad Khan, I think it was, talked about the stony-heartedness of Government officers. I may point out that since the *kharif* 1929 or *kharif* 1930 about 2½ crores have been remitted in *abiana* and land revenue. In land revenue alone a sum of one crore and thirty nine lakhs have been remitted from *kharif* 1930. In view of that I think honourable members should be more chary of hurling the epithet stony-hearted at the heads of the officials who are responsible for the revenue administration of the Punjab.

[Mr. D. J. Boyd.]

There is one other thing I should like to refer to. My Honourable colleague, Mr. Calvert, has expressed the view that we have now passed the worst of the depression. In this connection I would ask the honourable members to cast their minds back to the *rabi* of two years ago. I remember I got a letter while on leave in England from His Excellency, a despairing letter, in which he told me that wheat was selling in some places at Re. 1 a maund and that no market could be found for it even at that price. Last year we found the harvest prices reported from the district at Re. 1-8-0, Re. 1-9-0, Re. 1-10-0 and Re. 1-12-0. What is it now? Except for Lyallpur where the prices is Rs. 2-15-6 everywhere else it is Rs. 3 or well over Rs. 3. Surely things are on the upward move.

Mian Nurullah : I move—

That the question be now put.

Mr. R. P. Hadow (Chief Engineer, Irrigation): Sir, some remarks have been made about the shortage of water supply in the canals in connection with the shortage of areas sown. Certain figures were quoted by the honourable member for Lyallpur; they were repeated by the honourable member for Rohtak who merely said, "There you are. These are figures to indicate the short supply of water last year." Everybody knows that the supply was low. But what did happen last year? The average of the past three years, for instance, in the Lower Chenab Canal shows that the percentage of irrigation done in the *rabi* was 56 per cent., while the canal is supposed to irrigate only 45 per cent. Although the water this year was less than last year, actually up till the end of January the percentage done on the Lower Chenab Canal Colony this year is 47 per cent. That is a sufficient argument to meet the statements put forward by honourable members who say that owing to the shortage of water supply some remission of revenue is necessary. Even if it were short, if a zamindar did not get any water he would not have sown any crop, and if he did not sow any crop he would not be charged *abiana*, and judging from the debate on the last resolution, anybody who is charged *abiana* is rather well off. Owing to the shortness of time at my disposal I shall not continue to give any more figures, although I have been always quoting figures in this House. I may, however, mention that the number of days of closure on the Gugera Branch is two days less than is customary every year on the Lower Bari Doab Canal, which only indicates again how well off the Lower Chenab Canal is. On that the honourable member for Lyallpur hung the whole of his argument in regard to the Lyallpur district whereas his resolution deals with the whole of the province. He talked largely about the shortage of water and quite forgot that certain canals such as the Western Jumna Canal had an unprecedented supply of water this year.

Mr. President : The question is—

That the question be now put.

The motion was carried.

Mr. President : The question is—

This Council recommends to the Government to give a substantial remission of all Government dues in respect of *rabi* 1933.

The motion was carried.

The Council then adjourned till 2 p. m. on Thursday, 23rd March 1933.

PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Thursday, 23rd March 1933.

THE Council met at the Council Chamber at 2 p. m. of the clock. Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

*2411. *Cancelled.*

MUNICIPAL VOTERS IN KAMALIA.

*2412. **Mian Nurullah :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the population of Kamalia within municipal limits, community-wise ;
- (b) the number of municipal voters, community-wise, within the municipal limits ;
- (c) whether it is a fact that many of the tenants and other zamindars living within the municipal limits of Kamalia have not been registered as voters ;
- (d) if so, what steps Government has taken to redress the grievances of the Muslim community of Kamalia ?

The Honourable Dr. Gokul Chand Narang : Inquiries are being made, and the reply will be communicated to the honourable member when ready.

ZAMINDAR LABOURERS ON THE LOWER CHENAB CANAL.

*2413. **Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state—

- (a) the total number of breaches and cuts that occurred in the banks of the canals, distributaries and minors of the Lower Chenab Canal during the last three years ;
- (b) the total number of labourers (other than contractor labour) employed and the total amount of money paid to them in each case with the names of the villages from which those zamindar labourers were engaged ;
- (c) the name of the person through whom such labour was collected in each case ;
- (d) if such person was authorised by the local Government to get such labour ;
- (e) if not, with what authority such labour was collected, and why ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The question involves an amount of labour out of all proportion to the value of the reply, and Government must refuse to undertake it.

INADEQUATE SUPPLY OF WATER ON THE TAIL OF ALLAH RAJBABA.

***2414. Mian Nurullah :** Will the Honourable Member for Revenue please state—

- (a) whether Government has received any complaint against the inadequate supply of water on the tail of Allah *Rajbaha*, Lower Gugera Branch, by the zamindars on that tail ;
- (b) whether it is a fact that the zamindars of (hak 475-G. B., 476 477, 478 and 479-G. B. on that *rajbaha* have refused to take supply of water for irrigation by putting a *band* ;
- (c) if the answers to (a) and (b) above be in the affirmative, how far their grievances are true and for how long their grievances have existed ;
- (d) what steps the Government intends to take to redress the grievances of those zamindars ?

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

(b) Yes.

(c) A detailed analysis of the area irrigated during the last five years shows the following facts :—

- (i) They have irrigated 54 per cent. more than the area for which Government provides irrigation, the worst outlet having done 27 per cent. in excess.
- (ii) They have actually irrigated 38 per cent. more than their allotted area.
- (iii) During the last crop for which figures are available, *viz.*, *khariif* 1932, they irrigated 68 per cent. in excess of the area for which Government provides irrigation in the *khariif* season.
- (d) Does not arise.

BREACH ON THE LOWER GUGERA BRANCH AND ZAMINDAR LABOUR.

***2415. Mian Nurullah :** Will the Honourable the Revenue Member be pleased to state—

- (a) whether it is a fact that a breach occurred in the main line of the Lower Gugera Branch of the Lower Gugera division between Rodukori and Satiana Canal rest-houses in the boundary of Chak No. 133-G. B., on the left bank of the canal in the month of November 1932 ;
- (b) how many days it took to close the said breach and what was the total number of zamindar labour other than contractor labour employed on each day for closing the breach ;
- (c) the name of the chaks with the number of labourers employed on each day from every chak ;
- (d) the total amount spent for closing the breach itemwise ;
- (e) the amount paid to zamindar labour on each day with the names of the zamindars and the number of chaks to whom payments were made ;

- (f) the receipt obtained from each village may be laid on the table ;
- (g) through whom these labourers were collected and on what authority ;
- (h) whether the Divisional Canal Officer was authorised by the Local Government under section 65 of the Canal Act for the collection of forced labour in this particular case ;
- (i) if not, on what authority this forced labour was taken and whether steps were taken to proceed under sections 63 to 66 of the Canal Act by the Divisional Canal Officer to obtain labour in this case ; if not, why not ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Efforts are being made to collect the information as far as possible, and the result will be communicated to the honourable member in due course.

BREACH ON THE LOWER CHENAB CANAL AND ZAMINDAR LABOUR.

***2416. Mian Nurullah :** Will the Honourable Revenue Member please—

- (a) lay on the table all receipts obtained from the zamindars of the Lower Chenab Canal in all cases in which they went and worked for closing the breaches of the canals, distributaries and minors during the last three years ;
- (b) state whether zilladars are required to bring such labour for closing breaches ;
- (c) state whether the zilladars are authorised by the Local Government to get such forced labour ;
- (d) state whether they (zilladars) threaten the villagers if they refuse to give help in closing such breaches ;
- (e) state whether *tawan* cases have been filed against zamindars refusing help in closing breaches ;
- (f) state, if the answer is in the affirmative, what action the Government takes in stopping this system of collecting labour through the zilladars ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The time and labour involved in collecting the desired documents would not be justified, but if the honourable member can quote any alleged instances where zamindars have not been paid enquiry will be instituted.

(b) Yes, but only on occasions when ordinary labour is unavailable or inadequate and prompt measures are called for in the public interest to save crops.

(c) No.

(d) and (e) Government has no information to this effect.

(f) Does not arise.

BREACHES ON CANALS AND ZAMINDAR LABOUR.

***2417. Mian Nurullah :** Will the Honourable Revenue Member be pleased to state—

- (a) if it is a fact that the Revenue Manual of the Irrigation Branch lays down that the zilladar will be required to collect cultivators labour for emergent closure works or for closing breaches ;
- (b) whether zilladars have been authorised by the Government for such work of collecting the labourers ;
- (c) if not, why this work has been entrusted to them, and what action is taken against them or the cultivators labour if the latter refuse to obey him and render any help ;
- (d) if it is a fact that some officers make a note about the failure to collect such forced labour in the personal file of the zilladar ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The Revenue Manual of the Irrigation Branch lays down that on special occasions when the ordinary labour supply is inadequate and prompt measures are needed to save the crops, a zilladar's services may be utilised to collect the cultivators promptly on the work.

(b) The honourable member is referred to the reply to part (c) of Council question No. *2416 above.

(c) Because of a zilladar's intimate knowledge of the cultivators. No instance of the kind suggested in the question has so far been brought to the notice of Government.

(d) Government has no information. The imputation that such labour is forced labour is denied.

LOWER GUGERA DIVISION OF THE LOWER CHENAB CANAL.

***2418. Mian Nurullah :** Will the Honourable Revenue Member kindly state—

- (a) whether it is a fact that in the Lower Gugera division of the Lower Chenab Canal, East Circle, land revenue on gardens is charged once a year only ;
- (b) whether this practice has been going on in that division for the last five or six years ;
- (c) whether in the Lyallpur division of the Lower Chenab West Circle land revenue has been and is being charged twice a year ;
- (d) if the reply to parts (a), (b) and (c) be in the affirmative, the reason of the different practices on the same canal, and what action the Government proposes to take about refunding the excess land revenue charged for gardens from the zamindars of the Lyallpur division ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The information required has been called for from the local officers, and will be supplied to the honourable member as soon as received.

GUGERA DIVISION OF LOWER CHENAB CANAL.

*2419. **Mian Nurullah** : Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that in Lower Gugera and Upper Gugera divisions of the Lower Chenab Canal *taoans* are levied in *wara-shikni* cases ;
- (b) whether all such applications complaining about *wara-shikni* received from the zamindars are sent to zilladars for preparing *taoan* cases ;
- (c) the number of *wara-shikni* cases on the Lower Chenab Canal ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) and (b) Government has no information. Subject to departmental rules being observed there would be no objection in following such a procedure.

(c) If the honourable member will specify the period for which he requires this information, efforts will be made to obtain it.

FEE ON AGRICULTURAL WELLS.

*2420. **Mian Nurullah** : Will the Honourable Minister for Agriculture be pleased to state—

- (a) whether it is a fact that the imposition of a fee on the boring of the agricultural wells by the Agricultural Department and the recent considerable increase in this fee is in pursuance of a policy of commercialising the boring section of this department ;
- (b) whether it is the intention of the Government to place all the other sections of the Agricultural Department also on a self-supporting basis ?

The Honourable Sardar Sir Jogendra Singh : (a) The policy is to bring the receipts into closer proximity to the expenditure ;

(b) No ; only seed farms and seed depots so far.

UNSTARRED QUESTIONS AND ANSWERS.

WATER SUPPLY IN LAHORE.

629. **Chaudhri Allah Dad Khan** : Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that the people of the Lahore city are in great trouble due to the inadequate arrangements of the Municipal Committee for water-supply, and that in spite of repeated representations made in the press and otherwise on the subject the Municipal Committee has taken no steps to remove the complaint of the citizens ;
- (b) if the answer be in the affirmative, what steps Government proposes to take in the matter ?

The Honourable Dr. Gokul Chand Narang : (a) The attention of the honourable member is invited to the answer given to Council question No. 535¹ (unstarred) asked by him in the last session of the Council. The problem of finding funds for financing the drainage and water supply scheme which has been before the committee for some time is still engaging their attention ; and it is understood that the Executive Officer is submitting proposals to the committee regarding ways and means. Meanwhile the municipal committee is intending to sink 6 tube wells and to augment the supply from hired wells, if necessary, in order to meet the shortage as far as possible.

(b) Does not arise.

RESTRICTION OF OUTSIDERS IN GOVERNMENT SERVICE, NORTH-WEST FRONTIER PROVINCE.

630. Chaudhri Allah Dad Khan : Will Chief Secretary to Government, Punjab, be pleased to state—

- (a) whether Government is aware of the fact that the Government of the North-West Frontier Province have issued a circular letter which debars the persons who are not residents of that province from entering into any service under that Government ;
- (b) whether this letter will affect the Punjabis who are at present in service of the Government of the North-West Frontier Province ;
- (c) if the answers to the above be in the affirmative, whether the Punjab Government is prepared to consider the removal of non-Punjabi students from the colleges in the Punjab and the non-Punjabi Government servants from the offices under the Punjab Government ?

Mr. C. C. Garbett : (a) No.

(b) Government has no information.

(c) Does not arise.

QUTAB ICE FACTORY.

631. Chaudhri Allah Dad Khan : Will the Honourable Minister for Local Self-Government be pleased to state whether it is a fact that the Qutab Ice Factory which runs every summer on the Railway Road, Lahore, is a great nuisance to the neighbouring public owing to the noise, bad smell and smoke sent out by the engine day and night, and that in spite of several written representations made by the public every year to the Municipal Committee of Lahore to stop the factory and to order its removal to some place outside the city under the powers vested in it by a section of the Municipal Act, the Municipal Committee have so far failed to take any steps in the matter ? If so, what action does Government propose to take to save the public residing in the neighbourhood of this factory from the nuisance created by the factory ?

The Honourable Dr. Gokul Chand Narang : On account of a complaint received in the Municipal Office, the Municipal Engineer inspected the Qutab Ice Factory in September 1932. The factory had then ceased to work, and it was therefore not possible to ascertain whether it was a nuisance to the neighbourhood. The papers are, however, pending in the Municipal Office, and if the factory works this summer and is found to be a nuisance to the neighbourhood, necessary steps will be taken.

QUALIFICATIONS OF HONORARY MAGISTRATES.

632. Chaudhri Allah Dad Khan : (a) Will the Honourable Member for Finance be pleased to lay on the table a list of the qualifications which must be necessarily possessed by the honorary magistrates on the benches in the Punjab, and also state the names of the honorary magistrates on the benches in the Sialkot district who do not possess the requisite qualifications ;

(b) if there are any honorary magistrates lacking in such qualifications when does Government propose to dispense with their services ?

The Honourable Sir Henry Craik : (a) Ability, common sense, a sense of justice and sufficient knowledge of law and procedure. There are, so far as I am aware, no honorary magistrates in Sialkot lacking in these qualifications.

(b) Does not arise.

EDUCATION IN HISSAR DISTRICT.

633. Mr. Sajan Kumar Chowdhry : (a) Will the Honourable Minister for Education kindly state whether he has taken note of the small percentage the Government grant bears to expenditure in respect of education in Hissar district as shown in the comparative figures given on page xxiii of the Punjab Legislative Council Debates, Volume XXI—Appendix ?

(b) Whether there is any reason why the above percentage is only 58·4 in the case of Hissar with a population of 9 lakhs, while in the case of Jhelum it is 89·8 per cent. though the population is only 5½ lakhs?

The Honourable Malik Sir Firoz Khan Noon : (a) The percentage which Government grant bears to expenditure in respect of education in Hissar district is 58·4, which is by no means small. It will perhaps interest the honourable member to know that another of the six districts for which comparative figures are given in the statement to which reference has been made received only 35·1 per cent. of its total educational expenditure.

(b) Percentage of grants to total educational expenditure are not determined by population. In the case of anglo-vernacular schools all local bodies are treated alike. In the case of vernacular education, district boards are variously graded for grants. Jhelum being graded at 100 per cent. (for approved additional expenditure) and Hissar at 70 per cent.

EDUCATION IN HISSAR DISTRICT.

634. Mr. Sajan Kumar Chowdhry : Will the Honourable Minister for Education kindly state whether he is aware that the percentage of literates in the Hissar district is the lowest compared to other districts, and, if

[Mr. S. K. Chowdhry.]

so, why favoured treatment should not be granted to Hissar in respect of future education grants?

The Honourable Malik Sir Firoz Khan Noon : The percentage of literates in the Hissar district is not the lowest in the province. The question of favoured treatment therefore does not arise.

WATER SUPPLY TO CERTAIN CHAKS IN SHEIKHUPURA DISTRICT.

635. Chaudhri Shah Muhammad : Will the Honourable Member for Revenue kindly state—

- (1) when chaks No. 40, 41, 42, 43, 46, 48 in the Sheikhpura district were inhabited by the colonists from Hafizabad tahsil, district Gujranwala ;
- (2) whether it is a fact that paddy is the cheap crop in that tract of land ;
- (3) whether it is a fact that the water-supply from canal for these chaks is for one crop only ;
- (4) whether it is also a fact that the colonists have sunk wells at their own expense ;
- (5) the usual expense for completing one well in those chaks ;
- (6) whether it is a fact that now the almost entire area of these chaks is under the effect of water-logging ;
- (7) whether it is also a fact that the water of these wells is salty and sour ;
- (8) the financial condition of these chaks ;
- (9) whether it is also a fact that the residents of these chaks in the major part of the year reside in the Gujranwala district ;
- (10) the remedy that is proposed to better the condition of these people ?

The Honourable Captain Sardar Sir Sikander Hyat Khan :

- | | |
|---|--------------|
| (1) 1916. | (5) Rs. 800. |
| (2) Yes. | (6) No. |
| (3) Yes. | (7) Yes. |
| (4) Yes, with <i>taccavi</i> loans that have since been repaid. | (8) Good. |
| | (9) No. |
| (10) Does not arise. | |

CASES UNDER EXCISE ACT IN SHEIKHUPURA DISTRICT.

636. Chaudhri Shah Muhammad : Will the Honourable Minister for Agriculture kindly state—

- (1) how many cases under the Excise Act have been put in the criminal courts for the past two years in the Sheikhpura district ;
- (2) the sum which has been paid as a reward to the informer ;

- (3) how many cases have ended in conviction ;
- (4) the number of the cases in which culprits have been caught while in the act of distilling ;
- (5) the amount for which the liquor shop of Sheikhpura was auctioned in the years 1928, 1929, 1931 and 1932 in the town proper ;
- (6) how many Muslims have been challaned and convicted under the Excise Act during the past two years in the district of Sheikhpura ;
- (7) whether it is a fact that almost all the raids were made with the assistance of police ;
- (8) whether it is a fact that police sub-inspectors do not receive any commendation certificate or any special reward for helping the Excise Department ?

The Honourable Sardar Sir Jogendra Singh : (1) 141 cases.

(2) Rs. 2,538.

(3) 92.

(4) 19.

					Rs.
(5)	1928-29	..	..	..	11,150
	1929-30	..	..	..	12,100
	1931-32	..	..	..	7,650
	1932-33	..	..	..	8,700

(6) Challaned 22

Convicted 15

(7) Yes.

(8) No. The police sub-inspectors do receive cash rewards and commendation certificates whenever they render exceptional service to the Excise Department.

COMMUNAL REPRESENTATION AMONG DISTRICT AND SESSIONS JUDGES.

637. Thakur Pancham Chand : Will the Honourable Member for Finance be pleased to state—

- (a) the number of Indian district and sessions judges and sub-judges in the province community-wise ;
- (b) how many of the Hindus amongst them are members of the statutory agriculturist tribe ;
- (c) how many of those who belong to the agriculturist tribes amongst them are Rajputs, Jats, Gujars, and Ahirs, respectively ;
- (d) whether it is a fact that there is not a single Hindu Rajput sub-judge ;
- (e) if so, the reasons for it, and what the Government intends to do to give a fair representation to the Rajputs in the cadre ?

Mr. C. C. Garbett (Chief Secretary) : (a) and (b) The information will be found at page 2 of the Consolidated Census Statement of Government Servants as it stood on the 1st of January 1933.

[Mr. C. C. Garbett.]

(c) and (d) These particulars are not on record ; and the cost of collection of them is considered not to be commensurate with their value.

(e) The policy of Government in this respect was stated in the Honourable Member for Finance's speech on the 19th July 1927 (volume X-B, page 877, Council Debates).

CUTS AND BREACHES ON KARKAN BRANCH.

638. Chaudhri Shah Muhammad : Will the Honourable Member for Revenue kindly state—

- (a) whether any cuts and breaches have taken place on the " Karkan " branch in the district of Sheikhpura in the months of September and October during the years 1931 and 1932 ;
- (b) if the answer to the above question be in the affirmative, what was the state of the supply of water at the tail ;
- (c) whether it is true that the zamindars of chaks Nos. 179, 180, 181 and 182 are at the tail of this *rajbaha* and they have been complaining about the scarcity of water-supply since 1909 ;
- (d) whether it is also a fact that Mr. Townsend, Executive Engineer, and Mr. Bostock, Executive Engineer, recommended for an easy and good scheme for supplying water to these chaks from Chandarkot side of the big canal ;
- (e) whether it is also a fact that this new scheme commanded an area upto a distance of four miles from the Lower Chenab Canal while the Karkan *rajbaha* at whose tail these zamindars live is 44 miles distant ;
- (f) the result of Mr. Smith's remodelling scheme of the outlets of this *rajbaha* ;
- (g) the expense which the department incurred in carrying out the remodelling scheme at the top of the *rajbaha* ,
- (h) whether it is also a fact that the gauge has never come to the standard allotted for these villages ;
- (i) whether it is also a fact that there is always less cultivation in these four chaks on account of short supply of the canal water ;
- (j) the total number of petitions and memorials which have been submitted to the department by these people during the past twenty years ;
- (k) whether it is also a fact that Mr. Varma, Superintending Engineer, at Lyallpur, approved the scheme at first and showed sympathy with the people of these chaks ;
- (l) what Government intends to do in the matter ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I regret the answer to this question is not yet complete. It will be communicated to the honourable member when ready.

HYDRO-ELECTRIC BRANCH.

639. Chaudhri Allah Dad Khan : Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether the appointment of Secretary to the Chief Engineer, Hydro-Electric Branch, has been made ;
- (b) if so, the name of the person selected and his qualifications and experience for this post ;
- (c) whether the post in question was duly advertised in accordance with the established practice ;
- (d) if so, the total number of applications received ;
- (e) if the reply to (c) above be in the negative, the reasons for making a departure from the established practice in this particular case ;
- (f) whether an application was received for the post in question from the person who has been selected for it ;
- (g) whether in making this selection the merits and qualifications of the person selected were duly compared with all the likely candidates for this post already serving in the Hydro-Electric Branch ?

The Honourable Dr. Gokul Chand Narang : (a) The appointment has not been made, but an officer, now on leave, has been selected to fill this post.

(b) It is not to the public interest to give the name of the officer selected until his appointment is notified. The officer in question is a gazetted officer with sixteen years of total service, and has had nine years' experience of service under Government in posts which afford a training for the post in question.

(c) and (e) Posts are advertised only when it is desired to attract outside candidates. In this case it was desired to appoint an officer with Secretariat experience.

(d) Does not arise.

(f) No.

(g) Yes.

COMMUNAL REPRESENTATION IN DISCHARGE DIVISIONS.

640. Chaudhri Allah Dad Khan : Will the Honourable Revenue Member please lay a comparative statement on the table showing how many Muslims and non-Muslims, both permanent as well as temporary, there are in the Discharge division, Lahore, Derajat circle, Multan and Pakpattan Mailsi Canal circle ?

The Honourable Captain Sardar Sir Sikander Hyat Khan :

		Muslims.	Non-Muslims.
Discharge division	.. ..	17	26
Derajat circle	.. ..	158	255
Nili Bar circle	.. ..	215	427

The Pakpattan and Mailsi circles have been amalgamated into the " Nili Bar " circle.

COMMUNAL REPRESENTATION IN SUBORDINATE SERVICES.

641. Chaudhri Allah Dad Khan : Will the Honourable Revenue Member please state the figures of the Muslim employees, both permanent as well as probationary, who were recruited in the subordinate service since 1929, and also state how many of them have been reverted and on what grounds, and who were the officers who recommended their reversion ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : It is assumed the honourable member is referring to the subordinate engineering service.

Number of Muslims recruited for or appointed to the subordinate engineering service since 1929	..	55
Number reverted to temporary establishment	..	1
Number discharged	.. .. .	1

The men were reverted or discharged because during their probationary period they did not give satisfaction, and were found unsuitable for confirmation in the subordinate engineering service. The names of the reporting officers cannot be divulged.

DISCHARGE OF MUSLIM EMPLOYEES.

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

- (a) whether in discharging men (due to the reduction of establishment or other reason) from the establishment due consideration is being given to the Punjab Government letter No. 3913-C. dated 27th February 1932. to all Superintending Engineers that "if the proportion of Muslims is less than 50 per cent. only non-Muslims should be discharged";
- (b) whether it is not then a fact that the orders are being carried to the reverse of it;
- (c) the proportion in which the Muslim employees have been discharged after the issuing of this letter, and why ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Yes, keeping in view the proviso that the Muslims retained are duly qualified and have satisfactory records of service, a condition laid down in the same letter of Government referred to which honourable member has omitted to quote.

(b) No.

(c) The collection of information asked for would involve considerable labour, time and expense, and in view of the answers to the preceding parts of the question would serve no useful purpose, it is therefore regretted that the reply to this part of the question cannot be supplied.

BUSINESS OF THE COUNCIL.

The Honourable Captain Sardar Sir Sikander Hyat Khan : May I state the business for 30th and 31st March ? We propose to take the Municipal Amendment Bill on the 30th, and if necessary on the 31st.

Mr. President : What about the business on the 28th ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I think we have already decided to have a discussion on the White Paper and the Report of the Indebtedness Committee on that day.

Mr. President : How should the time be divided between the two ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : It is for you and the House to decide. Perhaps two hours may be taken up for each subject or $2\frac{1}{2}$ hours for the White Paper and $1\frac{1}{2}$ hours for the Indebtedness Committee's report.

Mr. President : The motion of which the Honourable Leader of the House has given notice is that the White Paper be discussed. If the motion is carried and discussion started, it will be difficult to stop it after two hours.

The Honourable Captain Sardar Sir Sikander Hyat Khan : If the members so desire they can go on discussing it for the whole of that day ; but if they finish earlier, it would be advisable to devote the remaining time on that date, instead of its being, wasted, to the discussion of the Indebtedness Committee's report.

RESOLUTIONS.

RE-ASSESSMENT OF LYALLPUR DISTRICT.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural)
(Urdu) : Sir, I beg to move—

This Council recommends to the Government to take immediate steps to re-assess the Lyallpur district.

Sir, for purposes of irrigation the Lyallpur district is divided into three parts. One of these parts is irrigated by the Rakh Branch and the other two parts are irrigated by the Jhang and Gugera Branches. The settlement of that part of the district which is irrigated by the Rakh Branch took place in 1912 and the other two parts were assessed to land revenue and *abiana* in 1920, and it was decided at that time that the lands on the Rakh Branch should be re-assessed after the lapse of 20 years and the other two parts should be re-assessed after the lapse of ten years. This decision was arrived at in order that all the three parts of the Lyallpur district may be re-assessed simultaneously. According to that decision re-settlement of this district should have been made in 1930 or at least it should have started in that year, and in 1932 land revenue and *abiana* should have been charged according to the new rates of assessment. But it appears that the Government has not yet moved in the matter. At least there are no signs to show that Government intends to act according to that decision in the near future. It is for this reason that I have brought forward this resolution in order thereby to draw the attention of the Government to an omission on its part.

As the House is aware at one time during these last few years the question was raised in the Council and discussed at length as to whether we should have permanent settlement or whether these settlements should take place periodically. Some members of the Council were in favour of the system of permanent settlement, but it was then pointed out that a system of periodical settlements was in the interest of both the parties, that is, the

[K. B. Sardar Habib Ullah.]

zamindars and the Government, inasmuch as the rates of assessment fixed in one settlement can be revised according as the circumstances change during the next settlement. It is undoubtedly true, and I admit that if there are some disadvantages of periodical settlements there is certainly this advantage in its favour. In 1912 and 1920 the prices of agricultural produce were high, and there were other favourable circumstances to permit of the high rates of assessment.

(At this stage Mr. President left the Chair, and it was occupied by Rao Bahadur Chaudhri Chhotu Ram of the panel of chairman.)

Now the circumstances have altogether changed, and the periods of ten and twenty years which were fixed by the Government for the next settlement have expired. The zamindars of the Lyallpur district are, therefore, entitled to claim that the promised settlement should take place. They ask for no favours and no concessions. It is, I think, their right to ask the Government to redeem its promise. In this connection, I may as well say that the high rate, at which land revenue and *abiana* is being charged now, was to remain in force up to 1930 or at the most up to 1931 according to Government's own decision, and if the Government is continuing to charge land revenue at the old rates even now, it is doing so unjustly. I do not say, and in fact I cannot anticipate, the rates that will be fixed if another settlement takes place. May be those rates are higher or lower than the present rates. But it will not be denied that Government is bound according to its decision to undertake settlement operations in 1930.

It can be contended that if this request is acceded to a demand will come from other districts as well that settlement operations should be undertaken with regard to those districts. That is true, but such a demand can only come if the limit prescribed for previous settlements has expired in regard to such districts which make such a demand, and in that case Government will have to admit their claim as well. In this connection it can be argued that Government will have to incur heavy expenditure to take the settlement operations in hand. I might say that I do not believe that Government will have to make a very big provision for such settlement, particularly as regards the Lyallpur district, because it is so far developed that one extra assistant commissioner and a small staff will do to complete the work of the proposed settlement. But even if the Government may have to incur heavy expenditure for this purpose that should not stand in the way of doing justice to the people. I may inform the Government that the people have already begun to attribute motives to it for this delay in undertaking the promised settlement operation, and I fear that this misunderstanding may not assume serious shape and cause widespread discontent amongst the public. It is, therefore, in the interest of the Government itself that the proposed settlement operation should be undertaken at the earliest opportunity. With these words. I commend my resolution for the acceptance of the House.

Mr. Chairman (Rao Bahadur Chaudhri Chhotu Ram) : Resolution moved—

This Council recommends to the Government to take immediate steps to re-assess the Lyallpur district.

Mian Nurullah : I have got an amendment to this resolution. Would you allow me to speak to the resolution or both ?

Mr. Chairman (Rao Bahadur Chaudhri Chhotu Ram) : The Honourable member is at liberty to speak on the main resolution so long as the amendment is not moved, but I may also draw your attention to the fact that in the course of your speech on the resolution you should also move your amendment because if you fail to move that amendment you would have no right to move it afterwards.

Mian Nurullah : Then I will speak on both. I beg to move the amendment standing in my name which reads as follows—

That the following be added at the end of the resolution :—

And in the meantime to levy the existing assessment on a sliding scale in accordance with the effective rise or fall in prices of agricultural produce since last settlement.

(Urdu) : Sir, I must express my gratitude to my honourable friend, Sardar Habib Ullah, for bringing forward this resolution. I may also tell him that by doing this service to the zamindars of the Lyallpur district he has laid them all under a deep debt of gratitude. This feeling of gratitude was expressed by the zamindars themselves yesterday at Lyallpur where, I understand, they had met in large numbers and where, besides other things, this resolution was adopted that the Government be requested to undertake settlement operation of the Lyallpur district as soon as possible.

Before I proceed to compare the present conditions with those of the past and try to show what has already happened and what may happen in the future if the present state of affairs is allowed to continue for any length of time, I shall say that the time has come when we should compel the Government to undertake settlement operation of the Lyallpur district at once. The reason why we should do so is plain enough. As my friend the mover of the resolution has said that part of the Lyallpur district which is irrigated by the Rakh Branch was assessed in 1912 when the zamindars were quite well off and when none of the complaints, which the zamindars now make, existed. Even under those favourable circumstances the revised rates of assessment were considered to be very excessive, and it will interest the honourable members to know that those rates had so much agitated the minds of the zamindars that a regular agitation had started at that time. I remember it perfectly well that in this connection the then Lieutenant-Governor had to visit the district in the hot days of July. And we cannot say what would have been the result of this agitation if fortunately for us all the Great War had not commenced at that critical time. On account of that War the prices of agricultural produce began to rise, and consequently the zamindars ceased to consider the rates as very excessive. But it should be remembered that the abnormal rise in prices alone was responsible for appeasing the angry zamindars, and not that they had realised that the rates in fact were reasonable. Now you can very well imagine that if these rates were considered not reasonable at that time, it is no wonder if those rates are considered all the more unreasonable and excessive at this time when the conditions have changed for the worse.

Now I shall proceed to say a few words with regard to that fundamental mistake which is usually committed in assessing an estate and which was

[Mian Nurullah.]

committed in regard to the Lyallpur district at the time of its settlements in 1912 and 1922. In the course of that settlement, and according to the usual practice, the figures of the net assets of an assessment circle are worked out. This figure, as I understand, came to Rs. 1,78,48,325 for Jhang Branch circle. This figure divided by the number of areas shows that income per square was taken at about Rs. 1,500. I had got an extract with me which was given to me by a zamindar of the Lyallpur district and which contained all these figures besides other things, but it appears I have mislaid it somewhere as I cannot find it now.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Which part of that document has been lost ?

Mian Nurullah : However, I have got a portion of that extract still with me which contains the figures that suit my purpose. As I have said, I find by that mathematical calculation that each square of land yields an annual income of Rs. 1,500. But as I shall explain afterwards this method of calculating and estimating the income from a square of land is very defective. However, even if that method be granted, for the sake of argument, as correct, the income of a square of land with settlement yields and present prices would not be more than Rs. 900 a year. But with present yields which are certainly less and present prices it will come to Rs. 700 only. If the fact that the lands in the Lyallpur district have deteriorated is also borne in mind the income per square in the Lyallpur district comes to something less than 50 per cent. of the income calculated at that time. This is the result of the simple mathematical calculation which the Government is so very fond of, and this shows very clearly that the Government will be well advised to lose no time in making the proposed re-assessment of the Lyallpur district. Otherwise discontent and disaffection are sure to prevail.

There is yet another defect in the way in which the net assets of an assessment circle are calculated. As the Government will be aware, the income from one acre of land in an assessment circle is taken as the basic figure, and that figure is multiplied by the number of acres in the whole of that circle, and thus the net assets of that circle are estimated. But, as I have pointed out, there is a serious defect in this way of calculating income, and I think it requires no argument to convince that the income of a small holder from his 5 or 10 acres cannot be the same as that of big landlord from the same number of acres of land. The reason is obvious. The small holder has to keep and maintain for his small holding at least one pair of oxen and perhaps one or two other cattle. The same would be needed even for one square of land. Thus some of the wheat sown by the small holder is used up as fodder. But this fact is never taken into consideration and it is presumed that whatever is sown is matured. The division and subdivision into uneconomic holdings for the last 10 or 20 years is in itself a great argument for re-assessment of the Lyallpur district at an early date.

Besides, after the assessment in 1912 and 1920 a very large number of transfers of land by sales and mortgages have taken place, and it is clearly stated in the Land Revenue Manual that Government should give concession in regard to land revenue for this reason also. I may also bring to the

notice of the Government that during the last few years the amounts of loans have increased many fold. A zamindar of Talwandi chak No. 108-J. B. has supplied me with facts and figures which I might lay before you for information. The indebtedness of that village has largely increased since the last settlement, and now stands at about one lakh of rupees. It is a small village of 38 squares only. The zamindars originally belonged to Hoshiarpur and are very industrious and good *kashikars*. They have mortgaged a number of acres of land in their old village in Hoshiarpur and sold another lot there. Thus they have raised about Rs. 31,000 there and the rest from banks and *sahukars* in Lyallpur. From 1902 to 1910 the land revenue was charged at one anna per *kanal*. After 1910 it was raised to 6 annas per *kanal*, and still later in 1922 to 9 annas per *kanal*. This means that land revenue had been increased to the extent of 600 per cent. at first and then to 900 per cent. The prices between 1910 and 1922 as admitted in that report had risen by 83 per cent. The land revenue is charged according to the rates which were fixed when the prices were very high, but the prices have considerably gone down. In addition to this the zamindars are suffering from another trouble. This trouble has been created by the tremendous increase in the population. In the beginning when the lands were distributed the number of persons who depended upon it was very small, but now it has increased abnormally. In a speech made the other day I had referred to the case of some village of Talwandi chak No. 108 in the Lyallpur district. In 1896 when land was distributed, the total number of persons living in this village was 88 and the total number of squares on which they depended was 27. The number of squares is now 38, but the population has increased to 968 persons. Now all this population depends on land on which in the beginning comparatively a very small number of persons depended. From this you can form an idea about the whole of the district of Lyallpur. In view of the difficulties of the people it is necessary that the Government should afford them some relief so that they may be able to maintain themselves. Let the Government start the settlement operations in the Lyallpur district and prepare a forecast of them. The Honourable Revenue Member had said in a speech that the forecast of the settlement of the Lyallpur district was being prepared. According to the new settlement rules the influential men of the district are required to be consulted when the forecast is to be prepared. Also the members of the Council are required to be informed. But up to this time I have received no information. There are other big zamindars in that district. None of them has been informed or consulted with regard to the preparation of the forecast. I fear the forecast is being prepared in the offices and not in that district, for no officer has visited the district for the purpose of preparing it.

Sir, a few men advised me that I along with others should not press the Government to start settlement operations for the district of Lyallpur. They tendered this advice on their experience of the past. In the past whenever a settlement was made the land revenue was always increased. On account of this experience of the past they feared that this time too the land revenue and the water rates will be increased. In this connection I might draw your attention to that standard and *par excellence* book Douie's Settlement Manual. In Appendix II about forecast reports, heading of parts III and

[Mian Nurullah.]

IV are "History of prices since last settlement with an estimate of the effective rise which has occurred" and "Estimate of Probable Enhancement." If you read it through you will find that mention of fall in prices is not made anywhere. Throughout the book there is not even the slightest mention of the possibility of fall in prices of produce of land. The prices when Mr. Penny carried out the settlement operation on the Jhang Branch were, wheat, Rs. 3-12-0, cotton, Rs. 9-6-0, sugarcane, Rs. 6-4-0, gram, Rs. 3-4-0, *toria*, Rs. 5-10-0, *makki*, Rs. 3-0-0. In comparison with this the average prices for the last three years are, wheat Rs. 2-3-8, cotton Rs. 6-10-7, sugarcane Rs. 3-2-5, gram Rs. 2-6-7, *toria* Rs. 4-5-6, *makki* Rs. 1-9-10. The average market price is at least 35 per cent. less than even the sanctioned prices. There is hardly any prospect of a substantial rise. Added to this there are untimely and long closures in the canals. Day before yesterday by mistake I stated that in the Gogera Branch full supply in winter of 1932-33 was for 24 days only. I was wrong. The correct number of days of full supply is 33. I, by mistake, said it was 24 days. Coming to the point under discussion I want to say that under these circumstances it is but necessary that the Government should lower land revenue and other cesses. In 1928 the Land Revenue Act was amended and the maximum standard was lowered from 50 per cent. to 25 per cent. On account of this amendment in the Land Revenue Act we should receive a good deal of benefit. If in the Lyallpur district the settlement operations are carried out now the zamindars will stand to gain. The Government will not have to incur much expenditure to carry out the settlement operations of this district. There is no necessity for the remeasurement of the district. Fortunately at present we have a young, capable, hard-working and sympathetic gentleman as our Deputy Commissioner. He takes pains to understand things. We only need an experienced, tactful and honest extra assistant commissioner with two similar tahsildars to help him. These officers must be honest and hard-working. Officers who have no tact or experience but are able to write good English are not required. I remember once a Director of Agriculture of the United Province came to visit the Agricultural College at Lyallpur. He was shown a small field of carrots. He pulled out one and got it washed and ate it. He liked it and asked how much seed is required for a small field of particular area. The Principal asked the Deputy Director of Agriculture who asked the Extra Assistant Director of Agriculture, but none could tell the exact quantity of seed for the purpose. Then another officer was called. He also failed to tell. In this way four officers were called but all failed to tell. At last the *beldar* was called. What he said was that for the small plot in front of them he had used one "lap" (a handful) of seed. We do not want such officers who have got no practical experience. During the time when the prices were very high the Government ought to have prepared itself as well as the zamindars for the bad days. In this connection I might read a few lines from my maiden speech in the Council meeting of 11th March 1930—:

I wish the Government would base its land revenue policy on some index number to rise and fall with the rise and fall of prices. I can work out a very practicable and easy scheme which would not mean so much botheration to the Government and so much uncertainty to the zamindars, as they might at first apprehend. The feeling that any novel method of assessment is bound to create or arouse in the minds of the people in the beginning would be a most imperfect test of its real merits.

Even now if the Government could see their way to assess their dues according to a sliding scale as was suggested by me much of the difficulty for re-assessing my district that faces the Government in fixing the prices would disappear. If the Government makes assessment according to a sliding scale the land revenue will be charged more if the prices are high and less if the prices are low. In the end, I request the Government to start settlement operations in the Lyallpur district and not to keep us in suspense. With these words I move my amendment, and hope that the Government will kindly see their way to accept it.

Mr. Chairman (Rao Bahadur Chaudhri Chhotu Ram): Resolution under consideration, amendment moved—

That the following be added at the end of the resolution—

And in the meantime to levy the existing assessment on a sliding scale in accordance with the effective rise or fall in prices of agricultural produce since last settlement.

The Honourable Captain Sardar Sir Sikander Hyat Khan: May I know whether this amendment is in order? Because it is contrary to the provisions of the Land Revenue Amendment Act. Let me make myself clear. This amendment reads—

In the meantime to levy existing assessment on a sliding scale in accordance with the effective rise or fall in prices of agricultural produce since last settlement.

So far as reduction is concerned, Government is always at liberty to give remission in land revenue. So far so good. But when we come to the question of raising the pitch of incidence a difficulty arises. If the price of produce happens to be more than the commutation price fixed at the last settlement, I am afraid it will not be possible for the Government to raise the assessment without infringing the provisions of the Land Revenue Amendment Act. We cannot take more than what was assessed at the last settlement.

Mian Nurullah: May I explain my point? Suppose the price is now 60 per cent. of the commutation price. The assessment will be fixed in accordance with that price. Suppose again that the price goes down to 40 per cent. and the assessment is revised in accordance with this reduced price. If the price again goes up to 60 per cent., then the assessment may be raised in accordance with this rise.

Mr. Chairman: The object of the resolution is to seek relief for the zamindars. The amendment that has been moved only indicates the manner in which relief should be given until re-assessment takes place. Therefore, I think the amendment is in order.

The Honourable Captain Sardar Sir Sikander Hyat Khan: That is true. It may be that that is the object of the honourable member. But nevertheless the amendment as drafted means that assessment can be increased if the price at any time happens to be above the commutation price fixed at the last settlement. Suppose the commutation price, say in the case of Lyallpur, is Rs. 2-12-0 for wheat and its price goes up to Rs. 3-8-0. According to this amendment it would appear that Government will be entitled to increase the assessment to that extent.

Mian Nurullah: In view of the objection raised by the Honourable Revenue Member, I do not wish to press my amendment.

The amendment was by leave withdrawn.

Mr. Chairman : I have received notice of another amendment which is as follows :—

That this Council recommends to the Government to take steps to re-assess all the districts of the province.

This is so clearly outside the scope of the original resolution that I have absolutely no hesitation in ruling it out of order.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muhammadan, Rural) (*Urdu*) : Sir, I rise to support the resolution moved by my honourable friend. I need not make a long speech on this resolution, for, much has been said by the mover to-day as well as by the other speakers on previous days to make the sad plight of the zamindars clear to the honourable members. No business can be successful if it does not give a proper return on the capital invested on it. Now-a-days the income from agriculture is very little, but the expenditure on agriculture is too much. A certain portion of the income of the zamindars is taken away by the Government as their due while the rest is left with them. Now the Government share of the income of the zamindars is very large, so large that nearly nothing is left with them after it is taken away. My submission is this that the Government should take only such a share out of the income of the zamindar after taking which sufficient may be left with him in order to enable him to make his living possible. The Government continues to charge land revenue according to the rates which were fixed at a time when the prices were very high and the zamindars could very easily pay it. Now the prices have gone down and the zamindars are not able to pay revenue according to the old rates. When the expenditure is more than the income no business can continue or flourish for any time. The same is the case with agriculture. Sir, for the benefit of the zamindars as well as the Government I would suggest that in future the land revenue may be charged in kind and not in cash as at present. By so doing the necessity to give remissions and suspensions will cease. When the land revenue was fixed the prices of agricultural produce were very high. The price of wheat was about Rs. 9 a maund and the land revenue was fixed in view of this price. (*An honourable member* : Was this the price of wheat in Lyallpur ?) Everywhere the prices were the same. There was a little difference between the price of different places. (*Interruption*). What we want is this that the land revenue may be fixed justly and in view of the present slump in the market. The Government should not only keep its own interests in view but should also care for the zamindars. Sir, the present attitude of the Government resembles that of one who asked his friend as to what the latter would give him in case he called at his house and again what he (the friend) would bring for him if he happened to come to his house. If the Government demands that the zamindars should faithfully meet their obligations, they should also perform their own duty with an equal measure of conscientiousness. If the rates of agricultural produce prevalent at the present time be deemed as a criterion for making the new settlement, I think, both the Government and the zamindars will be satisfied. Apart from the question of Lyallpur, the Government should seriously consider the advisability of effecting the new settlement of the whole of the Punjab. With these words, Sir, I lend my whole-hearted support to this resolution.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): Sir, I rise to support the original motion which is now under discussion. My honourable friend, the member from Lyallpur, has elaborately given figures to show that the rates which were fixed with regard to the prices of the various products of the land are no longer prevailing

and therefore there is a need for re-assessment.

3 P.M.

If one considers the main produce of that district, namely cotton, I find that desi cotton in 1912 when first the Rakh branch was settled was selling at about Rs. 15 and now it is selling at about Rs. 5. American cotton was selling at about Rs. 18 and now it is selling at about Rs. 6. The one main commodity upon which much of the land revenue depends has gone down so much and for that very reason the land revenue should be reduced. Taking other commodities, for instance, *toria*, it was selling at Rs. 6 a maund and now it is selling at Rs. 3 a maund. I do not say that the price was the main consideration for fixing the rates, but this was one of the considerations for fixing the land revenue at that time. Another reason is that land was newly brought under cultivation at that time when the old rates were fixed and there was greater amount of produce per acre at that time than now. The produce has now gone down by 50 per cent. on account of continuous cultivation and this is the experience of every zamindar member who is continuously cultivating land for some years. Land surely deteriorates and it certainly never gives now that amount of produce which it was giving in the first few years of cultivation. Now these two reasons are very strong and in view of these, assessment should be undertaken, especially when there is also a legal reason behind it. In 1912 when the Rakh branch was put in, the settlement was fixed for 20 years and the settlement of the remaining portion of Lyallpur was done in 1920. Perhaps there may be an objection about the other portion which was settled in 1920 and it might be said that it was only very recently that its settlement was done. But when the first portion has to be settled, it is advisable to settle the whole district in view of the other facts which I have pointed out. The other reasons for taking in hand the assessment is that when these lands were granted, there was not so much population in the Lyallpur district as there is now. Perhaps the original grantee was a single person and now he has got a big family and several generations have passed and the land has been apportioned into small pieces and the share falling to the lot of each individual is hardly sufficient to keep him alive. For this reason too the settlement should now be undertaken. The foremost reason of all is that the people's capacity to pay land revenue at present rates is absolutely exhausted. They cannot simply pay it. People have been clamouring for a number of years and the officers of the Government know perfectly well that there have been petitions and applications to the effect that land revenue is excessive. If proof for this incapacity of the zamindar to pay land revenue is needed, it can be seen in the number of zamindars in Lyallpur who have left the district. Many small landholders have left their holdings and run away. The cultivators who used to cultivate the land have run away in large numbers. It can therefore be fairly concluded that the land revenue which was fixed before the two settlements is excessive, and in the present circumstances it is exorbitant. Lyallpur is the most important district of the Punjab. There are people of all districts represented there. There are military men, there are loyalists,

[Ch. Allah Dad Khan.]

there are big landholders and small holders and there are all kinds of people there. If anybody wants to see the whole of the population of the Punjab, he has to go to that district and see the various specimens of humanity of the Punjab there. There are the people from Hoshiarpur there where the Babbar Akali movement was started. There are the people of the Jullundur district which also participated in the Babbar Akali movement. There are the people of all States and there are the people belonging to such outlying districts as Rawalpindi, Jhelum, Multan and Muzaffargarh. So to make the people of Lyallpur district discontented means to make the whole of the Punjab discontented and the Government should not drive these people to that extreme. When there are sufficient and strong reasons to undertake the settlement with a view to mitigating the hardship of the people on account of the high rates of land revenue, Government should not hesitate to give relief. They should see that this discontent does not spread from the Lyallpur district to the other districts of the Punjab. When once the zamindar is excited there is no limit to which he will not go. This has been brought to the notice of the Government several times. During last year Government knows that there has been a defiance of Government officers, so much so that two of the Government officers were beaten. This is not an ideal condition. Government has already to reckon with the urban people who are up against it and the zamindars have been siding with the Government up till now. But I think their patience too will be exhausted. I had an opportunity to witness the people of Lyallpur and I find they are much excited so much so they have adopted a slogan which is in answer to the slogans of other people. Whenever there is anything said in favour of the zamindar they cry *ہم نے کیا* which means we have nothing with which to pay land revenue, just like the Muslims cry "Allah O Akbar" or the Hindus cry "Bandemataram." It represents the poor condition to which the zamindars have been driven. As far as I understand, the Lyallpur district was the foremost in coming to the help of the Government. Not to speak of Lyallpur, all the districts of the Punjab have rendered help to the Government and the whole of the population of the Punjab is now concentrated in the Lyallpur district. So the people of the Lyallpur district have to be placated. Their grievance is reasonable and it is utterly useless to disregard it. There is no reason why Government should not rise to the occasion. Why should Government give discontent to the people? If there is any doubt of what I say, anyone can go to Lyallpur and see the condition of the zamindar there for himself. Every man in every corner of the district is filled with the idea that he has to pay land revenue which is beyond his capacity, which is beyond the ends of justice and which is utterly incompatible with the circumstances through which he is passing and it was perhaps never meant in the settlement that this rate should be exacted from him. These are very forcible considerations, weighty considerations and they must weigh with the Government. If the Government is mindful to keep up this trusted place with the people of Lyallpur, if the Government is mindful not to drive these people to oppose it, then it must in the first instance undertake the settlement of Lyallpur. Government has to take account of the feelings of the people and the potentialities of the people it governs. It should change the rates fixed on a consideration of the prices and other factors.

prevailing in 1912 when the lands were newly brought under cultivation. I wonder why Government has not moved of its own accord in this matter. Even if it does not move, we bring it to its notice and therefore great attention should be paid to this question. I know what sort of reply there will be. Even the Devil can quote scriptures. But arguments and counter-arguments are not desirable. When a thing is right Government should willingly do it. If you think these things are the mere creation of some brains or that they do not exist really, then I invite you to go to the Lyallpur district and study the conditions there for yourself before you reply. But sitting in these cool rooms or warm rooms in cold weather, you should not talk of the condition of the people living there.

You also think that you have got your set of officers there and they are quite sufficient to give you an indication, an idea of the condition of the people. They are quite sufficient but for many reasons they do not depict the true picture of the people, for they know what sometimes is the price of telling the truth when the superior officers do not want the truth to be told. We need not make any lengthy speeches for this important resolution and I hope you will accept this and give it due consideration. With these words I support the resolution moved.

Sardar Bishan Singh (Sialkot-cum-Gurdaspur, Sikh, Rural) (*Punjab*): Sir, in order to fully appreciate the reasonableness of the demand now made by the zamindars we have only to see the prices of the agricultural produce prevailing at the present time and at the time when the last settlement was made. There is no denying the fact that at the time when the last settlement was made prices of agricultural commodities were very high. Now when their prices have fallen to a highly sub-normal level it is quite reasonable that the zamindars should demand the readjustment of the Government dues in such a way that it may be compatible with their capacity to pay. As far as the condition of the zamindars of the Lyallpur district is concerned, it is anything but satisfactory. They have not been able to get sufficient water which has proved a great hindrance in the way of satisfactory maturing of their crops. One of their last crops, sugarcane, has been utilised as fodder and the rest of the crops have been wasted on account of frost. I think the honourable members are well aware of the fact that it was the Lyallpur district which used to supply *turi* to the whole of the Punjab. But now things have come to such a pass that the Lyallpur zamindars themselves are buying *turi* at the high rate of one rupee a maund. I want to urge with all the emphasis I can command that if steps are not taken to relieve the Lyallpur zamindars from the excessively high rates of land revenue and *abiana* the time will soon come when they will be reduced to the utmost penury. I am extremely gratified to hear that His Excellency the Governor is going to pay a visit to this district in order to personally examine the state of affairs. He has spent as many as 16 years in Lyallpur and I hope that he is very well aware of the conditions of the district and his tour will prove of immense help to the poor zamindars. We are anxiously waiting for his announcement which, I am sure, will contain a hopeful promise of the betterment of the condition of the zamindars. As many of the honourable members have already dilated on this subject I need not prolong my speech. With these few words, I lend my whole-hearted support to this resolution.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) (*Urdu*): Sir, I am sorry that neither the honourable mover of the resolution nor his enthusiastic supporter are present in the Chamber but I trust that my friend Sardar Bishan Singh will convey to them my observations of this resolution. I want to assure the honourable members at the very outset that Government is fully cognisant of the difficulties of the zamindars of the Lyallpur district and has every sympathy with them. The delay which has occurred in undertaking the re-settlement of the district is neither due to ignorance of the difficulties of the zamindars nor to any lack of sympathy. (*An honourable member*: The zamindars should appreciate the difficulties of the Government as well!) Our difficulty is that we have not been, so far, able to satisfy ourselves that the remedy for the troubles of the zamindars of Lyallpur lies in the re-settlement of the district. The most important factor, which has to be kept in view, and on which assessment is based is commutation price of the various kinds of produce. According to the Land Revenue Act Government cannot take more than one-fourth of the total net assets. The prices are extremely unstable at present. The commutation prices are based on the average of a fairly long period and we are not in a position to hazard even an approximate figure at present. This is our main difficulty. Honourable members would do well to remember that the next settlement of Lyallpur will not be for 10 years, it will be for a much longer period, it may extend to 40 years. So it is not advisable to bind the Government or the zamindars for such a long term until we are in a position to make a more accurate surmise regarding the trend of future prices than is possible under the existing conditions. To do so would be even more disadvantageous to the zamindars because if unfortunately the prices recede to a lower level, the Lyallpur zamindar may be saddled with an assessment for 40 years which may press heavily on them. (*An honourable member*: When the representatives of the zamindars of that district are themselves demanding that new settlement should be made you should have no hesitation in acceding to their request.) But our difficulty as I have already stated is that we cannot under the present conditions fix a fair price for the various commodities. It is quite clear that we cannot accept the prices prevailing at present as a criterion for fixing commutation prices. We have to reckon the price of each commodity for a number of years preceding the settlement and base our estimate on the average of this period. Mian Nurullah has repeatedly asserted that the prices of agricultural commodities have gone up during the last few months. But as I have already explained he would do well to bear in mind that we cannot base settlement prices on those prevailing in any one year. It is, of course, laid down in the Settlement Manual that the prices prevailing in the years of famine or scarcity should be excluded. This is essential if we are to arrive at a fair average. But this does not mean that we should only take the prices prevalent at the time of re-assessment. The fall in prices has occurred during the last three years, but the conditions are perceptibly improving. Wheat which was selling at Re. 1-4-0 or even Re. 1-2-0 in places last year has gone up to Rs. 3 or Rs. 3-8-0 during the past few months.

Chaudhri Muhammad Abdul Rahman Khan: But its price has gone up only after we had disposed it of.

Pir Akbar Ali : We are ready to make an agreement in case anybody comes forward to buy wheat at this rate in the next *rabi*.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I am aware that zamindars are not unaccustomed to make such agreements. In fact they have perforce to make such agreements. What I want to impress on this House, however, is this, that if the prices do not continue to appreciate, after the district has been re-assessed, a settlement made now, which must necessarily be based on the average of past years, might involve the zamindars in great difficulties. Then the Government will be pressed again to give remissions and this vicious circle will continue. I assure you that the only reason for this hesitation on the part of the Government is due to the fact that they have grave doubts about its proving beneficial to the zamindars. Otherwise they would not have the slightest hesitation in accepting this proposal. I am positive that in view of the various factors which must perforce be taken into consideration in re-assessing a district, Lyallpur district will not gain to the extent which my friends opposite have in view. If they gain anything it will be nothing like what they expect. Government has been giving anxious consideration to this question and, as I have already said, is not unmindful of the difficulties of the zamindars of Lyallpur.

The honourable member from Lyallpur remarked that no forecast report has yet been prepared for his district. He will be glad to learn that his surmise is incorrect. The forecast report has been prepared. It was prepared four years ago by Shaikh Nur Muhammad, who is well known for his sympathy towards the zamindars. It was only recently sent back for revision to the local officers. My honourable friend Mian Nurullah further suggested that an index figure should be fixed and the Government demands should fluctuate with the rise and fall in prices. But as I explained in the course of discussion on the amendment the law as it stands to-day does not permit such an arrangement. His proposal is impracticable so long as the present law remains in force. If you do not approve of the present law and the rules made thereunder you will have to devise more efficacious, or at least equally efficacious and equitable system. If the zamindars were to approve of the suggestion of the honourable member from Lyallpur they would have to face a new settlement every year. And they would also have to bear the enormous expenditure involved in resettling a district, from year to year. Are they in a position to try such a hazardous expedient when their reserves and resources are almost completely exhausted? Are they prepared to face re-assessment every year like the income-tax assessment? As I have said, Sir, Government has given careful consideration to this question. His Excellency the Governor will be visiting Lyallpur in the next two or three days, and will, I trust, make an announcement about this matter there. He has spent a long time in that district and is familiar with the circumstances of the people and the peculiar condition of that district. He has the greatest sympathy for the zamindars and particularly for the people of Lyallpur and I am sure that he has their interests at heart more than any one else. I do not wish to anticipate his pronouncement on the subject and would therefore request the honourable mover not to press his resolution.

(At this stage Mr. President resumed the chair.)

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) (Urdu): Sir, it is evident from what the Honourable Revenue Member has said that the Government are of the opinion that if the new settlement is made it will surely result in enhancement of land revenue.

The Honourable Captain Sardar Sir Sikander Hyat Khan: I never said that.

Khan Bahadur Sardar Habib Ullah: But you have said that in case the price of wheat goes down to a lower level than it is at present, the zamindars of the Lyallpur district will have to incur loss if a new settlement is made at the present time. But those honourable members who are more closely familiar with the conditions of the district hold a contrary opinion and say that the zamindars of the Lyallpur district are sure to benefit by a new settlement. As far as the coming announcement of His Excellency is concerned, we cannot say what it would be like. Had the Honourable Revenue Member assured us that the Government has made some definite proposal to relieve the Lyallpur zamindars from their present distress, I would have certainly withdrawn my resolution. But since he has not given us any assurance—

The Honourable Captain Sardar Sir Sikander Hyat Khan: I said that His Excellency the Governor was going to visit Lyallpur very shortly where he remained posted for about sixteen years. It would be therefore the most suitable occasion for His Excellency to make an announcement about the decision arrived at by Government in this matter. And if you are dissatisfied with that decision you can again press the matter to the notice of Government by moving an adjournment motion.

Khan Bahadur Sardar Habib Ullah: It is now clear that a suitable announcement is going to be made very shortly at Lyallpur. I will certainly wait for it and would not therefore press my resolution.

The resolution was by leave withdrawn.

SUPPLY OF ELECTRICITY FOR AGRICULTURAL PURPOSES.

Sardar Gurbachan Singh (Jullundur, Sikh, Rural): Sir, with your permission I beg to move my amended resolution. The amended resolution is—

This Council recommends to the Government that electricity from Uhl River Hydro-Electric Plant should be supplied to zamindars for agricultural purposes at concession rates for at least five years.

Sir, when I tabled my resolution I did not know that so many cut motions in the budget would be moved to press for the supply of electricity to the zamindars from this hydro-electric scheme. However, those discussions have left the main question undetermined and the Government has only made general statements without giving any definite undertaking. We were told that anyone who could pay would get it without any favour or without any differentiation in charge. It sounds fair but my intention in moving this resolution, and I think that of honourable movers of those cut motions, was that the electric energy be made available for agricultural purposes in the country in the same way as it has been made available for the towns. Government has provided fifty lakhs for distribution of this system for the towns. Will the Honourable Minister please tell me

if he is treating the village and the town alike, and what amount he is earmarking for wiring the village areas where the same load is available as in a small town? Sir, we are still in the dark and no assurance has so far been given in this respect. The Honourable Minister compared this electric system to the railway system and pleaded that this beautiful train be allowed to run unimpeded, but I plead that it should also take some of the agricultural load from the country. Khan Bahadur Mian Ahmad Yar Khan Daultana, was right when he compared this Uhl Project to a canal system. The canal water is made available for the town people as well as for the poorest of the zamindars miles and miles away from the town. In fact it is brought to the very door of the poor and the rich agriculturists and non-agriculturists alike. What we ask is that electric power from this supply should be made available in the country as it has been made available in the towns. I have heard the Honourable Minister for Agriculture saying that electricity from this scheme will be knocking at the doors of the people in the country, and the zamindars have been looking forward to this supply which no doubt would bring agriculture on modern lines and make the work of the agriculturists more interesting and beneficial.

The zamindars' support was given for this system on these very hopes and they sanctioned enormous sums of money from the coffers of the State to which they contribute over 90 per cent. Our grievance now is that we have paid and will continue to pay for this scheme without getting any benefit. Is this right? Is this just? This concession rate will be a source of great help for the development of agriculture and allied industries as a direct subsidy to increase production. There is nothing new in our claim that agriculture and industries need direct assistance from Government, and Government by giving direct assistance will really be increasing its own resources and thus in the end secure a larger gain, than any short-sighted policy which aims at immediate profits. I have heard that Lahore is not taking electricity from this system and similarly Hoshiarpur and Gujranwala, because private owned companies are holding contracts for these places. Amritsar and Jullundur have their own installations and I cannot say if they too have refused electricity from this scheme. We therefore believe that the whole of the power generated will not be utilised during the first four years. Any business man would do his best to secure new markets but the short-sighted idea of securing immediate profits is responsible for Government's refusal to assist agriculture in spite of lip sympathy. May I ask, if the Government generated 15,000 kilowatts in the first year and finds market for 10,000 kilowatts, would it not be wise to give the remaining 5,000 kilowatts to agriculturists at the lowest possible rates? The zamindars really deserve this help as they contribute the major portion of the Government revenue. They are very far behind the towns-people in every respect and so in the uses of electricity, and this concession would indeed be of great help to them and educate them in the use of electricity. The Government is spending so much money on grants-in-aid for education, there is no reason why this help should be denied to the zamindars. The period of five years will pass quickly and yield rich fruits. In short, I plead that Government should follow the policy which the United Provinces Government is following by definitely providing funds for making electricity available in the villages and take up lift irrigation as the United Provinces

[Sardar Gurbachan Singh.]

has done. I am sure that the House will agree with me that electricity can well become a new burden if used for luxury purposes and a blessing if used for productive purposes. With these words I commend the resolution for the favourable consideration of this House.

Mr. President : Resolution moved is—

That this Council recommends to the Government that electricity from Uhl River Hydro-Electric Plant should be supplied to zamindars for agricultural purposes at concession rates for at least five years.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): Sir, I rise to support the resolution under discussion. The hydro-electric scheme has cost us six crores of rupees and the main portion of it, about 98 per cent. has come from the pockets of the zamindars. So the zamindars deserve the first fruit of it. They have brought up this tree with their life blood and they have the first claim to its fruit. The towns-people—of whom the Honourable Minister for Local Self-Government is one—opposed the very idea of this scheme when it was brought into the Council and he took pride in it when he was one of those who took up cudgels against it, and now he is one of the first men who are to enjoy the fruit of it. He is making the electrical energy available to the towns-people and is leaving out those who have given their life blood for the scheme. There is no doubt that it is the accumulated reserve of the province that has gone towards the expenses of the scheme, but if the zamindars were given the advantage of the scheme they will not regret the expense which has been incurred on the scheme. There is no doubt that the zamindars are not well acquainted with the advantages and the use of this power, but the resolution says that for two years the current should be supplied free of cost and by that time the zamindars will have understood its value and after that they will be able to contribute towards its expense even if there is a little cost.

There is no doubt that if that is done it will improve the agricultural condition of the province and anything that improves the agricultural prospects of the province should engage the attention of Government and should have a proper claim to its attention. The very fact that the zamindars have paid the cost of it should be taken into consideration and although there may be some doubts in the minds of those who are not well acquainted with the working of it, there are many people who know the advantages of the scheme and that advantage will be before the zamindars and they will be able to see it when they see water being driven by this force and other agricultural processes being carried out by this force, and they will have no doubt about its advantages and will readily take to those methods. With the example of the United Provinces before us it is but proper that we should make an attempt to supply electricity to the zamindars in the first instance. With these words I support the resolution under discussion.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government): Sir, I am very glad that Sardar Gurbachan Singh has moved this resolution for one thing, that perhaps this is the only resolution so far as my knowledge goes that my friend has moved in this Council. I am also glad that he has taken interest in the subject matter of the resolu-

tion. In the second place, this resolution gives me an opportunity to repeat the assurance that I gave the other day that there is absolutely no bar to the zamindars receiving electricity. If you look at the resolution carefully, it will be observed that it divides itself into two parts; one is, that the zamindars should get electricity and the second is that they should get it at concession rates for five years. So far as the first part is concerned, I need hardly say that it is as equally available to the zamindars as to non-zamindars. In fact electricity generated by the hydro-electric scheme would be like a commodity placed in the market for sale and any one who is prepared to pay for it can have it. I said so more than once on the last occasion when this question arose and I say it again. The only question is whether it can be taken to out of the way places, for instance, to a place say fifty miles from the sub-station where a zamindar may have ten or twenty acres of land and wants to utilise electricity. Unless this Council decides to forego all revenue from this department, it would be impossible either for the Government to supply electricity to distances of fifty miles from the nearest sub-stations or for the zamindar to take it. Either Government will have to incur a heavy expenditure to take transmission lines there or the zamindars will have to pay the cost. Unless one of the two parties is prepared to incur the cost, it is impossible to take electricity to distant places. So far as those places are concerned which are situated within a reasonable distance of the sub-station, there is no difficulty. They can have electricity if they want it. Sardar Buta Singh asked a question the other day and he was absent when I answered that question. He put me a point blank question, will the land near the Sheikhpura sub-station get electricity? I replied that there would be no difficulty. If a zamindar owning any land near a sub-station does want to have electricity for agricultural purposes, it would certainly be supplied to him. But suppose a zamindar in Mananwala or some other such place which is situated probably 30 miles from the Sheikhpura sub-station where Sardar Buta Singh's land may be situated wants electricity, he will have to think twice before he makes such a request to the Electricity Department; because it would mean an enormous expenditure which must be borne either by the Government or by the zamindar concerned. I am sure no sensible zamindar would think of asking for electricity for places which are out of reach of the transmission lines or of the sub-station. (*An honourable member*: What would be a reasonable distance?) Say, if it is within 8 or 10 miles it would be easy to take the current. From a technical point of view it is not possible to take electricity from the sub-station to a distance which may be beyond ten miles. That is, at any rate, my impression, I am not a technical expert and I therefore speak subject to correction. Therefore all zamindars who own land within ten miles of a sub-station can well hope to get electricity if they want it. (*An honourable member*: If they are prepared to pay for it). Yes. But the resolution does not talk of free supply of electricity. It only raises the question of concession rates. My honourable friend realised that it would be asking for too much if he wanted to have electricity without payment for it. He was well-advised to modify his resolution and to ask for electric power at concession rates. I have not objected to this modified resolution, because it errs only on the side of sense and reason. At least there is greater sense and greater reason in asking for a thing at concession rates than in asking for a thing without payment for it. Now, one part of the resolution

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is absolutely clear. Those people whose lands are situated within a reasonable distance of say 8 or 10 miles of a sub-station may hope to have electricity if they want it.

Sardar Buta Singh : Who will bear the cost of wiring, etc. ?

The Honourable Dr. Gokul Chand Narang : That is a pertinent question. It has been said that we should follow the United Provinces system. I do not know if the honourable member realised what it meant when he made a reference to the United Provinces system. I am quite prepared to follow the United Provinces system absolutely so far as conveying of electricity to the zamindars' farms is concerned. Are the zamindars also prepared to follow that system ? If so, then, there would be no difficulty and power can be taken to any part of the province even if it happens to be more than ten miles from the nearest sub-station. For their information I may point out that according to the United Provinces system if a zamindar wants energy from the hydro-electric scheme he has to guarantee interest on the capital outlay on transmission lines and other arrangements at the rate of $7\frac{1}{2}$ per cent. If you are prepared to do so, if you are prepared to guarantee this return on the capital outlay, then, if the power is available and is not exhausted (because the power generated at Jogendernagar is only limited), then there will be no difficulty even in setting up a sub-station for them. Certainly I will have no objection to extending the transmission lines. It is for the zamindars to decide whether they are prepared to pay this rate of interest on the capital outlay. (*Interruption*). That is a very relevant question and I shall be very pleased to answer it. I am asked whether I have taken any guarantee from towns to pay $7\frac{1}{2}$ per cent. interest on capital outlay before we started these transmission lines. My reply is 'no.' We do not take any guarantee from them. The honourable member would realise that there is a good deal of difference between a town and a village in respect of the consumption of the quantity of electricity. A village will be on a par with a town if there are people in the village who are prepared to take sufficient quantity of energy. If we were assured that in a certain village, say 500 kilowatts or 2,000 kilowatts would be taken, Government would probably not insist on any such guarantee. But supposing in a village there is only one gentleman who wants 5 kilowatts, then, can you expect that for the sake of 5 kilowatts Government should incur an expenditure of a lakh or two in laying the transmission lines, etc. ? I hope the zamindar members will be more reasonable and more business-like and place themselves in the position of Government. After all what is the Government but themselves. It is after all the people's money that has been spent and people should certainly expect a return on their investment. If you do not want any return on your capital outlay, then we can give away the energy just as on marriage occasions people throw money in a crowd for the people to gather as much as they can. But let the time come when the vote of this House will be the final voice and then we may decide whether all this capital of six crores may be written off. That would be the time when we can play with this electric energy as we please, when we can distribute this current without any restriction as to cost and without any consideration of outlay, when we can give up all petty-minded and narrow considerations of pounds, shil-

things and pence ! That is one position to take up. But I am sure that the House is not prepared to take up that position, because these six crores of rupees that have been spent on this scheme is borrowed money. Almost the whole of it is borrowed money and about 80 lakhs have to be paid by way of interest. Besides we require many lakhs for the working of this project. There must be establishment in order to take the electricity to places where it is required. The total expense under this item will come to about 60 or 68 lakhs ; and it is estimated that the gross revenue would be about 71 lakhs thus leaving a surplus of 3 lakhs or so. It may be said that we can do away with this gross revenue. "After all, what are these 71 lakhs ? We shall pay interest from our current revenue so long as we can be allowed to indulge in the indiscriminate use of electricity." That is one position to take up. But I am sure that the honourable mover of this resolution and his colleagues and sympathisers will not put forward that argument, and will not be prepared to take up that position.

If this position is ruled out, then the other position is that like business people we must run this project which is essentially a commercial concern on business lines. What are business lines ? Business lines—Mr. Owen Roberts will support me in this view—mean this, that you must get as much as you can for your wares and you must take your wares to where you have the largest demand. These are simple things. These are the two factors which we must bear in mind when we distribute electricity. That is why no guarantee for payment of interest on capital outlay was taken from the cities, not because cities were the favourites of Government nor are there people whom the Government wants to favour unduly. It is only because Government knew by its forecasts, by the surveys that were made by its officers that in particular towns there would be so much demand for electricity and therefore it would be worth while taking transmission lines to those towns. The honourable member will just do well to observe the route along which transmission lines have been taken. That will give an idea of the principle that has been followed in laying down these transmission lines. Of course electricity would be generated at Jogendernagar. From Jogendernagar to Pathankot there is not much demand. Now from Pathankot it has followed a route which passes through big towns. It has not gone even to such place as Hoshiarpur as my friend Sardar Gurbachan

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Singh seems to imagine. He said that Hoshiarpur had declined to take it and that Gujranwala had declined to take it. But the fact is that electricity has not been taken there at all. There are big towns not lying on the route of this transmission line, and Government has not considered it from a business point of view profitable to take transmission lines to those towns. Fortunately for this department a large number of towns lie on the route of the transmission lines and they will be supplied with this power. It is being made available in those towns without taking any guarantee for any return of interest from the residents of those towns because Government is practically sure that there is a demand for electricity everywhere. People would like to have it on the remote hills if they possibly could and when it is brought to their doors they are bound to take it. Government therefore hope that the expenditure incurred in taking the transmission lines to the towns would be more than made up by the sale of electricity there. If Government could be reasonably sure that if it took the

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transmission line to any village the power would be utilised in a large quantity then Government would certainly lay out a line there also. But you will agree that you cannot expect that there would be so much demand in the villages for electricity. In order that you may be able to use the electricity you will have to spend some money on the outfit for it and in the villages there are not many people who could afford even that. Knowing this, therefore, it is not possible to make electricity available in every village. But I am sure you will be satisfied with the assurance I have given that where there are lands lying within reasonable distances of sub-stations electricity would be made available and if the load calculated to be consumed is sufficiently large, Government would not hesitate in taking the transmission lines there without taking any such guarantee from the zamindars. More than this what can be said? Forty lakhs have been set aside for transmission lines and where there are reasonable chances that sufficient load would be taken, a part of the money would be utilised for that purpose and Government would not like that transmission lines should be put only for monkeys to play with or get electrocuted. I am sure this will satisfy the honourable mover.

Now the other question remains, namely concession rates. This is a very difficult question and there are statutory bars in the way. I may draw the attention of the House to section 23, sub-section (1) of the Electricity Act, which says—

A licensee shall not in making any agreement for the supply of energy show undue preference to any person who might save as aforesaid make such charges for the supply of energy as may be agreed upon not exceeding the limits imposed by his license.

We are advised that this is a bar in the way of our making any discrimination between one consumer and another. (*Sardar Buta Singh*: What about your tariff rates?) Anybody who comes within a particular tariff rate would have electricity at his door. There would be no difference between one consumer and another. So you need not get disappointed at this. Do not feel dejected. I can find ways by which without violating the letter of the law we can help the zamindars if they are prepared to take it and if their lands are situated within reasonable distances and I can indicate one of the ways. Suppose for instance *Sardar Buta Singh's* lands lie within 5 miles of a sub-station and he is very anxious to have electricity for lift irrigation or some other purposes and he can persuade a dozen or two of other zamindars to join him in taking electricity and the load becomes a sufficient inducement to Government to forego the guarantee of any return on the capital, then Government would set up the lines. That is one thing. Then with respect to the rate Government will not be able to charge them less than it charges other people who come within the same tariff but Government can help the zamindars otherwise. The capital outlay for putting up the outfit for the reception of electricity also costs something and Government can help the zamindar in that way, so that if they do not get any direct concession in the rates of electricity, they get assistance or a sort of subsidy in other ways and I give you my assurance that if I am here when demand for electricity from zamindars comes, I shall do all that lies in my power to make it available to them in as reasonable a manner, and as easy a manner, as under the circumstances may be possible for us. But this idea should

not be entertained that electricity should be given even in places which are out of the reach and even where the cost of taking transmission lines is prohibitive. I am sure that after this assurance the honourable member will not press his resolution.

Mr. Owen Roberts (Nominated, Non-official) : I hope the Honourable Minister will give me credit for trying to be helpful in this matter. A reference which has been made to myself has brought me to my feet. The whole point of this project is that on his own forecast and I have no doubt he has given very great thought to the figures, he anticipates a margin of a clear 8 lakhs of rupees after spending over 58 or 68 lakhs—I am not sure which—to get it. I do not call that a fair risk. In business it would not be a fair risk. No man in business would lay out 58 lakhs of rupees in annual expenditure with a hope of getting 8 lakhs by way of return; the chances would be too great against him. But we have got to make the best of a bad job and I would suggest to the Honourable Minister that we must not look at the matter from the point of view of the small shop-keeper. If this project cannot be run in his opinion at a profit by selling his power at more than what it costs to produce it, then I think he should face at once the alternative of providing his electricity even at a small loss, in those directions where it promises immediate results to users. I would like to draw his attention to the employment of electricity in Northern Italy in connection with irrigation. Of course in this province or in any provincial scheme there is one great disadvantage, we cannot oblige railways to use electricity. In Italy, a great deal of the available electricity is employed in railways and in addition to that in Northern Italy certainly I have seen in many places, they have tram lines laid down which cannot possibly pay as tramlines; the return to the State comes from the fact that the cultivator's produce reaches the market cheaply and quickly. Then again electricity is very largely employed in the same area for irrigation and there again I do not think that there can be any question of selling it at a profit. Here your towns are very wide apart and I have often wondered to myself what could justify a main transmission line being carried say from Lahore to Gujranwala with nothing to pick up on the road. If Government accept the fact that it cannot expect to sell at rates that will yield profit then power be given to places where it will produce immediately beneficial results at any price or even for nothing. The return to Government will come indirectly from the growing prosperity of the country and I do feel we have got to realise this and the sooner we recognise it and make up our minds to supply at rates which will not cover interest charges, the better. There is no use of adhering to a rate which we cannot get or confining our outlook to developments of a type not within reasonable expectation. If we accept the wider policy I think we shall receive some benefit from this scheme although we may lose on our interest or working charges on paper.

Sardar Sampuran Singh (Lyallpur, Sikh, Rural) (*Urdu*) : Sir, there are two very important points in connection with this motion which alone should guide us in deciding this question one way or the other. The Honourable Minister for Local Self-Government took his stand mainly on the ground that if this electric power were supplied to the villages and to the zamindars the income from it will be much less than that which will be received by its supply to cities and towns. I admit that in a way it is true,

[Sardar Sampuran Singh.]

but he has lost sight of this fact that if electric power is supplied at cheap rates for agricultural purposes and thereby improvement is effected in agriculture, it will result not only in the prosperity of the zamindars and the public in general but the Government will also stand to gain in the form of increased land revenue. There is one particular point in this connection which I wish to bring to the notice of the Government. It will be admitted that land is the only wealth of the zamindars which unfortunately has begun to suffer from water-logging. There are certain parts of the province in which the lands have already become unfit for cultivation on account of this evil of water-logging. Now land being the only wealth of the zamindars—and I shall not be far wrong if I add that land being the only wealth of the majority of the population of the province—it cannot be allowed to be destroyed. We can neither afford to close down all the canals which are no doubt responsible for water-logging but which are at the same time the best means of irrigation at the present time. To close them down will mean the marring of the efficiency of irrigation and unless, therefore, a better substitute is found out these canals must needs continue to run. It is no doubt a very serious problem and it is peculiar to this province and the local Government will always be faced with it until a remedy is found out. I may as well say that there is only one solution of this problem and however the Government may try to shelve it for sometime more, it will have to adopt this remedy one day. That remedy is to help the zamindars to sink tube wells and to irrigate their lands by lift irrigation. And if the lands are irrigated by water drawn from wells or in other words from underneath the surface of land there can be no fear of water-logging in that case and now that this hydro-electric scheme is completed the Government is in a position to render that help to the zamindars. The consideration that the supply of electric power to the cities and towns will bring more income to the Government should not stand in the way of bringing about this much needed reform. I should think that this reason is in fact no reason at all to deprive the zamindars of the full advantage of this scheme and I shall just make it clear how it is so. Supposing there is a man who has built a house worth Rs. 40,000 and he lives in that house. There is a neighbour of his who being not as rich as the other, has been able to build a house of his own worth only Rs. 2,000. But this second man has no right whether morally or legally to occupy the house of the first man and enjoy the same comforts which he could not enjoy by spending his own money. May be the richer person is not getting the full return of his money but that cannot be made a ground for asking him to vacate his own house for the advantage or benefit of another. Similarly the people in the cities and towns have no right to be given preference in the matter of supply of electric power from this scheme which has been completed mostly with the money of the zamindars even though the Government may expect to receive more return in giving that preference. I hope that I have made myself sufficiently clear that to improve and develop agriculture and also to save the lands from the evil of water-logging and above all to give a reasonable return to the zamindars on their money spent on this scheme it is but reasonable that electric energy should be supplied to the zamindars as recommended in the resolution under consideration.

Mr. Tek Chand (North-East Towns, Non-Muhammadan, Urban): Sir, there is one feature in the resolution that to my mind appears not to have been properly dealt with by the opposition. The agriculturist does not want any special concession which is not ordinarily available, but he wants cheap electricity for agricultural purposes. He does not want that cheaper rates should be given for the lights that he is using in his house, but he does want and I dare say is entitled to concession rates for power used for agricultural purposes. If he wants to sink a tube well in his field I think it is up to the Government to give him assistance in doing that because thereby he will be in a position to improve the agricultural produce and indirectly assist the Government in getting enhanced revenues. This fact should be borne in mind by the Government that the concession that the agriculturists seek is nothing unusual. I say, subject to correction, that even in towns energy is being supplied at concession rates for industrial purposes. If I want electricity for lighting purposes in my house to-day I shall have to pay at the ordinary rates, but if I want it for running a small factory or for similar other industrial purpose, the Lahore Electricity Supply Company will supply power to me at cheaper rates. Agriculturists similarly want that a distinction should be made in the charges when they consume energy for their personal requirements and when the energy is used for agricultural purposes. When he wants power for his personal use he claims no concession as appears from the resolution (*hear, hear*), but when he requires power for improving his produce, then surely it is not an extravagant demand to provide energy to the agriculturists, at cheaper rates.

There is another factor to which I should like to invite the attention of the Government. In this province, the British rule has been for the last 70 years or so, but so far as contribution of the British towards the improvement of the conditions of agriculturists is concerned, it has been very little. It is not in any spirit of carping criticism that I criticise the actions of the Government but the truth of the matter is, that the ploughshare that has been used in this country for the last two thousand years is being used even to-day in the 20th century, and the British Government has done nothing practical so far, to improve the condition of the miserable farmer (*hear, hear*). We require the agriculturists to compete so far as cotton, wheat or any produce is concerned with the best managed and the most scientific forms of Canada, New Zealand, Australia, etc. But what is the poor fate of the agriculturist in this country and more so in this province where he is a small landholder and the capital at his command is very little? It is necessary for a Government which has nearest to its heart the interests of the agriculturists, that it should show in some practical manner the help that it is prepared to render to the agriculturists. The Government has been offered an opportunity to-day of doing something for the agriculturists by extending concessions to them in order that they may utilize electric power and thus assist themselves and the Government. The Government certainly stands to gain if the position of the farmer becomes better. (*Hear hear and cheers*).

Mr. C. C. Garbett (Chief Secretary): Sir, if I may be permitted to do so, I should like to tender hearty congratulations to the latest joined member on his maiden speech (*hear, hear*). At the same time there are two

[Mr. C. C. Garbett.]

points on which I should like to enlighten him. He suggests that if electricity were to be taken to a farm for purposes of sinking a tube well, the zamindar would obtain no concession whatever from Government. There is such a thing as *taccavi* which is a very great assistance indeed, that is to say, the whole of the money which is required to set up that tube well and to sink the machinery would be available to any zamindar who puts up a business proposition before the Financial Commissioner, and if that is not a considerable concession, I should like to know what is. The honourable member, I understand, comes from those spheres where the meaning of the word working capital is well known; and he will appreciate more readily that it is a profitable concession to get capital practically free on terms such as are given to agriculturists for *taccavi*, and to obtain also the advantage that no additional revenue will be taken from land so improved until double the expenditure has been recovered as profits by the zamindar. That is a second and further concession; and I think, my honourable friend was speaking somewhat without the book. Secondly, he accused the British Government of having done nothing whatever for the zamindar of this province in the matter of ploughs. Again I am grateful for the opportunity that has been given to me to enlighten him in his great error. If I may relate a personal experience, when after several years of work, some in other countries and some in the Secretariat, I had the privilege of returning to district work, the first thing that I did, was, as most district officers do, to endeavour to make myself acquainted with the very latest methods of agriculture, and I went down to Lyallpur and sat at the feet of the honourable member on my left (*Interruption*) and learnt about the latest inventions in ploughs that were being or had been tried. There was the Meston plough, the Brayne plough, the Raja plough and numerous other iron ploughs (*Interruption*). Sir, there seems to be some buzzing or some little thing interrupting away there on my left, but we can get on without it (*laughter*). There in the Government Farm at Lyallpur they worked on scientific lines and tested carefully the work of each plough, and the net result which Mr. Stewart told me in those days was that they could now prove that the additional cost of using the heavy plough for ordinary soil brought no corresponding advantage. For light soil the desi plough is adequate—the zamindar daily uses it. But to say that we have never done anything or paid no attention to the plough must, I am afraid, be assessed as the ignorant remark of a new comer to the House (*laughter*). These are the two small points on which I wished to enlighten the last speaker. I do not wish to make a long speech, and I hope the honourable member will accept the corrections in the good spirit in which they are meant.

Sardar Gurbachan Singh (Jullundur, Sikh, Rural) (*Urdu*): Sir, my able friend Mr. Owen Roberts has replied to the arguments of the Honourable Minister, and there is not much left for me to say, but I must point out that two or three questions, which I put during the course of my first speech, have remained unanswered. In the first place I would like to know as to what part of that 50 lakhs of rupees have been set apart for transmission lines for the country. The answer to this question will enable us to judge what the Government in fact intends to do for the zamindars. The second thing that I want to be made clear is whether electric power

will be supplied to the zamindars, in a village, where the same load is available, as in a small town from the first stage of this scheme ; and the third thing that I want to know is where the surplus of this power will go and how it will be utilised. To make my meaning clear I would like to know that if 15,000 kilowatts of electric power are generated at the first stage and there are customers only for 10,000 kilowatts of this power, whether the Government would give the remaining 5000 kilowatt to the zamindars in the country. I hope that the Honourable Minister will very kindly enlighten me on these points.

The Honourable Dr. Gokul Chand Narang (Urdu) : Sir, I wonder why the same questions which were put before and which have been fully answered should have been asked again. However, to satisfy the honourable mover I am prepared to answer these questions again. It has been asked how much of the amount reserved for expenditure on transmission lines has been set apart for the benefit of the villages. May I in return ask whether any portion of this amount has been set apart for cities, and, if so, how much of that amount has been so set apart? (*An honourable member :* The whole of it is intended to be spent for the people in the cities and towns). The honourable member interrupting knows it that it is not a fact. As I have explained more than once it is intended to supply electric power to towns and also to the villages and lands lying at a reasonable distance from the transmission lines and from the sub-stations, and I think that should have been sufficient to dispel any doubts lurking in the minds of some of the honourable members about the Government's intention for the welfare of the zamindars. I may also make it clear once again that these transmission lines do not necessarily pass through big cities or towns. On the other hand, some of these lines pass through a number of such small towns which do not even claim to have their own municipalities. This fact should also be borne in mind that these transmission lines must necessarily have passed through this or that town or city because we could not possibly bring them direct from Jogendernagar to a village leaving all cities and towns in the way. As to setting apart a portion of 40 lakhs reserved for transmission lines for villages and another portion for the cities I admit we have not done it. The Government has not considered it a wise policy to set apart so many rupees and annas and pies for the cities and so many thousand rupees for the villages, and I think the honourable mover will also realise that it was not wise to do so. Supposing we had divided this money into two portions and the share of the villages had been only 20 lakhs and supposing at the time of actually spending it we would have required 40 lakhs for the villages I am sure the honourable mover would himself had condemned this policy. It is for this reason that no reservation has been made. I hope this will satisfy the honourable mover. The question is not this that the Government should supply electric power to the villages. The question is whether the load calculated to be consumed by the villages will be sufficient so as to induce the Government to take transmission lines to them. Certainly the villages will be supplied with electric power if they happened to be within a reasonable distance from the transmission line as well as from the sub-stations.

Then, the honourable member asked what would be done to the power which remained unconsumed. I referred this question to my department, and the Secretary's answer was that only that much energy would be generated

[The Hon. Dr. Gokul Chand Narang.]

which would be required to meet the demand of the consumers. The more the load the more will be the energy generated. If we could produce more power with the same expenditure we would not hesitate to give the surplus over the load required by the consumers to the zamindars. But electric power is not like some other commodities which could be divided into separate parts. It is not like wheat or *gur* that we may apportion amongst the zamindars and they could carry it on their heads. In order to be conveyed it requires a transmission line, and to take a transmission line to a place requires expenditure. There must be a transmission line whether we have to convey one kilowatt or one thousand kilowatts of energy. Had it been some commodity like wheat or *gur* we would have given it to chaudhris saying so much for Ganda Singh, so much for Jhanda Singh, so much for Karm Bukhsh, so much for Rahim Bukhsh, so much for Ram Chand and so much for other Chands. I may assure the honourable members that wherever we would be able to carry power without prohibitive cost we would willingly carry it and no discrimination will be made in its distribution amongst different classes of people. I also assure the honourable the new member that no discrimination will be made between one industry and another in supplying power. The Government will also supply power for agriculture on cheaper rates. The more a consumer will demand the less will be the price charged from him for it. To all those who will come under a particular tariff, power will be supplied at the same rates. No difference will be made between Zaid and Bakr or X and Y.

Mr. President : The question is—

That this Council recommends to the Government that electricity from Uhl River Hydro-Electric Plant should be supplied to zamindars for agricultural purposes at concession rates for at least five years.

The Council divided : Ayes, 92 ; Noes 31.

AYES.

Mr. Tek Chand.
Thakur Pancham Chand.
Rai Sahib Chaudhri Kesar Singh.
Khan Bahadur Mian Ahmad Yar
Khan Daultana.
Sardar Bahadur Khan.
Khan Bahadur Mian Muhammad
Hayat Qureshi.
Mr. Owen Roberts.
Chaudhri Allah Dad Khan.
Khan Bahadur Captain Malik Mu-
zaffar Khan.
Khan Haibat Khan Dahi.
Chaudhri Nazir Husain.
Sayad Mubarak Ali Shah.
Khawaja Muhammad Eusoof.
Chaudhri Faqir Husain Khan.
Khan Sahib Mian Noor Ahmad
Khan.
Chaudhri Riasat Ali.

Makhdumzada Sayad Muhammad
Raza Shah Gilani.
Maulvi Imam-ud-Din.
Raja Muhammad Sarfaraz Ali Khan.
Mian Nurullah.
Rao Bahadur Chaudhri Chhotu
Ram.
Pir Akbar Ali.
Mr. M. A. Ghani.
Chaudhri Ram Sarup.
Chaudhri Muhammad Abdul Rah-
man Khan.
Khan Bahadur Nawab Chaudhri
Fazl Ali.
Sardar Buta Singh.
Sardar Arjan Singh.
Sardar Gurbachan Singh.
Sardar Sampuran Singh.
Sardar Bishan Singh.
Sardar Jawahar Singh Dhillon.

NOES.

Col. D. P. Goil.
Mr. D. J. Boyd.
Mr. H. Calvert.
Lala Labh Chand Mehra.
Mr. E. Mayadas.
Dr. (Mrs.) M. C. Shave.
Khan Bahadur Mian Mushtaq Ahmad.
Sardar Bahadur Captain Sardar Janmeja Singh.
The Honourable Dr. Gokul Chand Narang.
The Honourable Malik Sir Firoz Khan Noon.
The Honourable Sardar Sir Jogendra Singh.
Mr. P. Marsden.
Mr. R. Sanderson.
Mr. F. H. Puckle.

Mr. R. P. Hadow.
Mr. H. R. Stewart.
The Honourable Sir Henry Craik.
The Honourable Captain Sardar Sir Sikander Hyat Khan.
Mr. J. W. Hearn.
Mr. C. C. Garbett.
Khan Sahib Shaikh Fazl Ilahi.
Mr. S. L. Sale.
Rai Bahadur Lala Sewak Ram.
Mr. Nanak Chand Pandit.
Mr. Manohar Lal.
Lala Nihal Chand Aggarwal.
Kanwar Mamraj Singh Chohan.
Mr. P. Mukerji.
Lala Ramji Das.
Sardar Bahadur Sardar Sheo Narain Singh.
2nd.-Lt. Sardar Ram Singh.

(The result as reported by the tellers was that 32 were for the resolution and 31 against it, whereupon the Leader of the House pointed out that one member, Chaudhri Nathwa Singh, had not been taken into account by the tellers although he voted against the resolution. Chaudhri Nathwa Singh when asked, stated that he voted on the side of the Government. There was thus a tie, 32 being for the resolution and 32 against.)

Mr. President : I give my casting vote in favour of the resolution, as, with the exception of only one or two, all the honourable members who have voted for the resolution are elected members of the Council, while, with the exception of a few, all those who have voted against it are either officials or nominated members.

KHARABA.

Khan Haibat Khan Dahi (Multan East, Muhammadan, Rural)
(Urdu) : Sir, I beg to move—

This Council recommends to Government that the powers of the canal authorities regarding the granting of *kharaba* be taken from them and transferred to revenue authorities on all the canals in the Punjab.

Sir, this is a very important resolution, and through you I draw the attention of this honourable House to it. The grievances of the zamindars against the Canal Department are so numerous that to give a detailed account of them would take up a good deal of this honourable House's time. I have not stood up to criticise the Canal Department. I only want to say that on all the canals in which the canal officers have powers to grant *kharaba* the zamindars do not get it. The question of *kharaba* has been discussed many a time both in this House and in the meetings of the Canal Standing Committee, but nothing has been so far done to redress this long-standing grievance of the zamindars. I had given notice of this resolution several

[Khan Haibat Khan Dahi.]

times before this, but unfortunately it could not come up for discussion. But now that I have had an opportunity of moving it I propose to discuss it at length, and I hope the honourable members will pay attention to my observation and lend their support to it. Some days back the Chief Engineer, Irrigation Department, called a meeting of the Canal Standing Committee which was attended by many canal officers and some of the members of this House. The question of *kharaba* was discussed in that meeting and opinion was collected, but I am not in a position to say as to whether anything useful is going to result from the deliberations of that meeting. I, however, hope that the honourable members will lend their whole-hearted support to this resolution, and the Government will take immediate steps to give the recommendation of this House practical shape.

There are three kinds of canals in the Multan district,—perennial, non-perennial and inundation canals. These three kinds of canals are all in my constituency. Perennial canals give water throughout the year with the exception of a few days when they remain closed. Water flows from April to September in non-perennial canals. Inundation canals depend upon the sufficient water in the rivers for their supply of water. They close down even during the summer months, if there is scarcity of water in the rivers. On perennial as well as non-perennial canals the question of *kharaba* is settled by the canal officers. But on inundation canals the work of deciding about *kharaba* is entrusted to revenue officers.

The Honourable Captain Sardar Sir Sikander Hyat Khan : You are, I believe, talking about the Sidhna Canal.

Khan Haibat Khan Dahi : Yes Sir, I am speaking with regard to this canal.

The Honourable Captain Sardar Sir Sikander Hyat Khan : The honourable member would be aware, most probably, that on this canal land revenue and *abiana* are treated as one demand, that is, the Government does not levy *abiana* and land revenue separately.

Khan Haibat Khan Dahi : I possess land on all the three kinds of canals. So, I have personal experience of all the three canals. As far as the perennial canals are concerned, almost 100 per cent. of the zamindars are found complaining that they are not given the measure of *kharaba* which is their due. Zamindars on the Lower Bari Doab and Pakpattan Canals, on the other hand, complain that they are granted only a nominal measure of *kharaba*. On the non-perennial canals such as the Mailsi Canal which was formerly an inundation canal, the powers of granting *kharaba* rested with the revenue officers, and the zamindars had never any cause to complain. But since these powers have been delegated to the canal officers these people have also begun to grumble and clamour that they are dismissed with the grant of a nominal measure of *kharaba*. The zamindars on the Sidhna Canal where powers with regard to the grant of *kharaba* rest with the revenue officers are contented to some extent because they are given their due share of *kharaba*.

Again the canal authorities have introduced such drastic rules about *kharaba* that the poor zamindars feel very great difficulty in putting forward their claim. Unless and until the zamindar mentions the number of his

square and *killa*, his request for the grant of *kharaba* is never entertained. Now as the honourable members know it perfectly well the majority of the zamindars is illiterate. Not to speak of the number of *killas* they do not even know the number of their squares. So they have to go to the patwari to enquire the number of *killas*, and if the patwari is not on good terms with them—

The Honourable Captain Sardar Sir Sikander Hyat Khan : It means then that God Himself is not pleased with them.

Khan Haibat Khan Dahi : You are right. The ill-will of the patwari is a sign of God's anger towards the poor zamindars. The angry patwari will either give them a wrong number or arrange that the authorities do not grant them the right measure of *kharaba*. So the poor zamindars have to keep all the canal officers ranging from the clerk of the zilladar to the zilladar and sub-divisional officer's clerk in good humour. If a single one of all these officers is not pleased with them they have to face many a grave difficulty. The officials who are entrusted with the work of granting *kharaba* are corrupt to the core. They would not let the zamindar avail himself of the right measure of *kharaba* unless and until they are given two or three rupees per *killa*. Under these circumstances the zamindar does not stand to gain anything even if he is granted his due measure of *kharaba*. If three or four fields of land deserve to be shown as *kharaba* the zamindar, in the first instance, does not get more than one field as *kharaba*. Then he has

to pay two or three rupees as bribe to the canal officials. In short he does not gain anything even if he is given the right measure of *kharaba*. The zilladars also have their own difficulty. It is the express order of their officers that the *kharaba* should in no case exceed the measure granted during the previous year, and preferably less than that. If a zilladar ever condescends to grant the right measure of *kharaba*, of course after accepting a good sum by way of *nazrana*, he is taken to task by the sub-divisional officer. The investigation of *kharaba* is done under very strange rules. If the produce is assessed to be worth 3 annas and 9 pies in the rupee the zamindar is granted *kharaba*. But if, on the other hand, the produce is assessed to be worth 4 annas and 3 pies in the rupee the zamindar is not deemed deserving of the concession of *kharaba*. Now, Sir, one can very easily judge that to observe such an accuracy while assessing the produce of a crop is not possible. So, it rests entirely on the sweet will of the canal authorities to grant or not to grant any *kharaba* to the zamindar. It is a fact that for the most part zilladars are also helpless in the matter of granting *kharaba* to the zamindars. I would not quote specific instances to illustrate my point, but I would like to acquaint the House with the case of a certain zilladar. The poor fellow granted the right measure of *kharaba* to a zamindar. The canal authorities were greatly enraged at this breach of their time-honoured convention. So the deputy collector came personally to investigate into the affair, and it was with very great difficulty that the zilladar managed to save his skin. Instances are not uncommon of the zilladars being fined and awarded other punishments for their fault of granting or recommending the grant of the right measure of *kharaba* to the zamindar.

(At this stage Mr. President left the chair, and it was occupied by the Deputy President.)

[Khan Haibat Khan Dahi.]

There is one special reason why the canal authorities do not give the right measure of *kharaba* to the zamindars, and that is this. If there are a large number of *kharaba* crops in an area it is concluded that the canal authorities have failed to supply enough amount of water. So, they put the blame at the doors of the zamindar, and say that he has not worked properly, and that he has not sown good seed. Thus, in order to cover their one fault they have to speak half a dozen lies. And the honourable members will perhaps be surprised to know that the only test of the efficiency and working capacity of a canal official is this that he should not let the percentage of *kharaba* increase in his *ilaga*. Consequently the officials always refuse to grant the right measure of *kharaba*. I think the Canal Department has already many duties to perform. They have to supply water and do all the necessary work in order to keep the canals in working order. Therefore if the work of granting *kharaba* is taken away from them and entrusted to the Revenue Department they do not stand to lose anything by this arrangement. It is, on the other hand, not a very difficult work either, and can be safely entrusted to any other department.

I press this transfer of duties on another ground also. It is quite evident that the zamindar and the Canal Department are two parties to a suit regarding *kharaba*. The zamindar says that it is his right to get this measure of *kharaba* and the Canal Department argues that he cannot rightfully claim that measure. Now it would be in the fitness of things that a third party should come forward to decide the question. I suggest that the Revenue Department should be the third party which is not under the canal officers nor under zamindars, and therefore the Government should accede to this modest request of mine. The Canal Department, moreover, is in the position of a monopolist in this respect. They know that they are the sole water suppliers to the zamindars, and that the agriculturists have perforce to purchase water from them. So, as is the case of all monopolists, they do whatever they like, and follow the rules of their own will in all matter concerning irrigation. In 99 cases out of a hundred they refuse to grant *kharaba* to the zamindars. So, it is high time that this work should be entrusted to some impartial agency.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Do you think that the Revenue Department would be an impartial agency?

Khan Haibat Khan Dahi : Yes, Sir, in our opinion the Revenue Department would be an impartial agency at least so far as the work of granting *kharaba* is concerned.

Pir Akbar Ali : The matter we have to consider is this. Is it fair that the department which is responsible for the supply of water and which is to blame in case there is insufficient supply of water should be entrusted with the work of assessing the right measure of *kharaba*.

Khan Haibat Khan Dahi : Moreover, our complaint is this that the canal authorities are not favourably disposed towards the zamindars, and they have no sympathy with their cause. The patwari is the most unsympathetic of all the revenue officers, and it is against him that the zamindars have the greatest reason to complain. I shall just quote the instance of a zamindar who was put to a lot of inconvenience in the Montgomery

division about a year ago on account of the ill-will of the patwari. The zamindar grew cotton in one of his big pieces of land, but the crop failed. He asked the patwari to show his crop as *kharaba* in the revenue papers. The patwari told him that he should grow some other crop in the same field, and that the cotton crop would be entered as *kharaba*. The zamindar grew *toria* in the same piece of land, but unfortunately it also did not mature. The patwari told the zamindar that he would be granted *kharaba* for this crop also. But in *kharif* the zamindar was charged full amount of revenue on the cotton crop, and when *rabi* came *toria* was also assessed as a bumper crop. The poor zamindar fretted and fumed and brought the matter to the notice of the canal authorities, but no heed was paid to his complaint. As far as I know the matter was brought up before the Canal Standing Committee as well, but the Committee also failed to do the needful in this respect. One of my own tenants also of mauza Halim Khichi, in tahsil Mailai, brought a similar complaint of the canal patwari's injustice to my notice. He grew perhaps pepper and a lower quality of crop in the same piece of land. But the patwari entered larger area of pepper crop (which was in reality less) than the lower crop. The tenant according to patwari's entry, was bound to pay much more, whereas according to fact he had to pay less. The matter was reported to the higher officers, but when the officer personally visited the spot some of the witnesses did not tender their evidence in favour of the zamindar at the instigation of the patwari, who told them that they would be treated like that if they gave true evidence. So nothing came out of the enquiry, and my tenant's grievance was not redressed. Recently he came to me but I told him that nothing could be done at that stage.

اب پچھنے لگے کیا دھوت جب چڑیاں چگ کئیں کہیں

I would therefore earnestly request the Honourable Revenue Member to give his considerate attention to this matter, and transfer the powers of assessing *kharaba* to the Revenue Department. I assure him that at least one good result of this transfer of powers would be that the canal officers will be spared these divers accusations and indictments to which they are subjected by the zamindars. With these words, Sir, I commend this resolution for the acceptance of this House.

Mr. Deputy President : The question is—

This Council recommends to the Government that the powers of the canal authorities regarding the granting of *kharaba* be taken from them and transferred to revenue authorities on all the canals in the Punjab.

Pir Akbar Ali (Ferozepore Muhammadan, Rural) (*Urdu*) : Sir, the question now before us is of immense importance and ought not to be taken so lightly as has been the lot of such questions generally. It is really a painful fact that whosoever is entrusted with the work of providing comfort to the zamindars proves a sworn antagonist of their interests in the end and the purport of the proverb *در کان نمک رفت نمک شد* is proved to be only too correct. The reasonableness of the present demand of the zamindars is quite evident, but I would like to say a few words to elucidate the situation more completely. It is known to all the honourable members of this House that the supply and distribution of canal water rests with the canal authorities. If the supply is adequate and the crops mature properly,

[Pir Akbar Ali.]

it goes to their credit. If, on the other hand, the supply of canal water is not adequate and the crops fail as a natural consequence of the inadequate supply of water it is the canal officers who are to blame. So, it is the greatest wish of the canal officers that the lack of water-supply should not be brought to the notice of the higher authorities and the zamindars should not be allowed the right measure of *kharaba*. All officers beginning from the patwari up to the sub-divisional officer endeavour hard to show the least measure of *kharaba* as possible in the revenue papers. The zamindars' complaint is this that they cannot get their grievances with regard to *kharaba*, etc., redressed from the interested canal officers. It is they who are to blame for the insufficient supply of canal water and inadequate grant of *kharaba*, but the Government have so arranged that all complaints with regard to the canal administration should be addressed to the canal officers. Under these circumstances how can the zamindars hope to get justice from the canal authorities ?

Moreover, the rules governing *kharaba* are so intricate and difficult of comprehension that even the average literate zamindars cannot understand them. How can the Government expect the illiterate zamindars to understand them and avail of them ? Then there are the difficult rules governing the distribution of *khhataunis* which are equally unintelligible to them. But the method of assessment of revenue which is adopted by the Revenue Department is more elaborate and more complete. The patwari visits the crops at the time of *girdawari* and marks the *kharaba* as well as bumper crops in his register. Then the qanungo examines his papers. In the end the *kharaba* account of the whole tahsil and district is examined by the revenue officer himself. In this way all the *kharaba* crops are entered in the revenue papers, and the zamindars have not any cause to complain of their not getting the right measure of *kharaba*. Such an elaborate system of preparing an account of *kharaba* is not without very great use. This statement is put to a considerable use at the time of making a new settlement. The patwari knows each and everything about the crop at the time of *girdawari*. He makes entries about the kind, condition and the area of the crop. This is not all. Even the name of the possessor and the owner is entered in the register, and mention is made about the amount of the land revenue proposed to be charged on the crop. When the patwari has finished his work of *khassra girdawari*, his work is examined by the higher officers.

Mr. D. J. Boyd : Will the honourable member kindly explain how *jamabandi* is concerned with *kharaba* ? I do not follow him.

Pir Akbar Ali : I will explain to his satisfaction. *Jamabandi* has no connection whatever with the crops. It has no concern with *girdawari* directly. It is only concerned with the possession of the land.

Mr. D. J. Boyd : The honourable member has not yet explained. He stated that the question of *kharaba* was somehow or other bound up with the question of *jamabandi*.

Pir Akbar Ali : I did not say that. I used the word *khassra girdawari* and not the word *jamabandi*. Furthermore, Sir, I see no reason why the canal authorities should resent giving up the work of granting *kharaba*.

They will be relieved of a responsibility. Moreover, the Canal Department will be relieved of many accusations and indictments to which they are subjected on account of these powers. I, for one, have not been able to understand why the Canal Department should hesitate to give up this power. The members of this Council earnestly desire to save them from a very great responsibility, and they instead of thanking them for their generous offer insist on the retention of the powers with regard to the grant of *kharaba*. Personally I have grave doubts about the proposed arrangement being in any way beneficial to the zamindars. I think that whereas there was previously one department to rob the zamindar of their scanty money, the proposed arrangement will give one more department the licence to rob them. What I proposed in this respect is to hand over the work of granting *kharaba* for a while to the Revenue Department. The best thing would be to hand over all the work pertaining to the land revenue which is now-a-days done by the Canal Department to the Revenue Department. In this way much of the work of the Canal Department would be lightened and a good deal of curtailment in expenditure would be effected.

There is one thing more which I want to bring to the notice of the members of this honourable House. The patwaris of the Revenue Department are well versed in the work of settlement, and hence they have full knowledge of *shajra*. Now, it is on the knowledge of *shajra* that the whole work of granting *kharaba* depends. Since the canal patwaris do not know the work of settlement and *shajra*, it would be well if they are relieved of their duties with respect to the granting of *kharaba*. The patwaris of the Canal Department commit a lot of mistakes on account of their being ignorant of the ins and outs of *shajra*. It happens not infrequently that they show one field as in the possession of quite a wrong person. Though the canal patwari is not fully competent to perform the work entrusted to him still it is entrusted to him. The reasons often put forward by Government as to why this work is entrusted to him are not very convincing. He does not know how to prepare a map. He is altogether incompetent to do this job. The Government might ask why the zamindar members of this House insist on the powers of granting *kharaba* being transferred to revenue authorities. The reason is quite obvious and, that is, that the zamindar's income is not enough to meet his own expenses as well as the illegal demands of the canal officials. He is reduced to such a state of indigence that he is unable to keep his body and soul together. What a pity that while he is disappointed from the utter failure of his crops he is required to pay *abiana*. I have received a letter to-day from an acquaintance of mine informing me that hailstorm has occurred in certain villages of the Fazilka tahsil.

Mr. D. J. Boyd : How much damage has been done to crops ?

Pir Akbar Ali : I am informed that a considerable damage has been done to barley, *sarsun* and gram crops while damage done to wheat is small. The people of those places have asked the authorities to remit *abiana* on these crops, but I do not think that their request will be favourably considered by the canal authorities. The latter are not so sympathetic in their attitude towards zamindars as the revenue authorities are. The revenue authorities have a vast experience of the work, and are quite competent to exercise the powers already vested in canal authorities to grant *kharaba*.

[Pir Akbar Ali.]

If these powers are transferred to revenue authorities, the canal officials will not be accused of indifference towards the zamindars.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Why not ? They would still be taken to task.

Pir Akbar Ali : Yes, for inadequate supply of water.

The Honourable Captain Sardar Sir Sikander Hyat Khan : What happened on the Jamna Canal ?

Pir Akbar Ali : The zamindars on that canal believed that the officers appointed to work out the scheme were in fact responsible for its failure, and that they were already determined to make it a failure. However, I do not want to dwell on this subject any further. With these words I strongly support the resolution now before the House.

Mr. D. J. Boyd (Financial Commissioner) : Sir, I have to apologise for wasting the time of the House because I misheard the last speaker. I thought he was talking about the *jamabandi* while he was talking about the *jama*.

There is another matter. The last speaker has told us that a hailstorm has occurred in the Fazilka tahsil and has done a certain amount of damage. I only hope that the damage has not been serious. We received a report from the Amritsar district also in which damage has been done to about twenty-five villages in an area of eight miles by three miles, and the crops have been very nearly destroyed. The matter is a very serious one. As soon as we heard we telegraphed to the Deputy Commissioner placing at his disposal Rs. 10,000 to be given as *taccavi* to enable people to buy fodder for the cattle, and at the same time we enquired how much would be required for gratuitous relief. To-day the Deputy Commissioner has replied that he would require Rs. 5,000, and with the approval of the Honourable Member I at once telegraphed to say that Rs. 5,000 had been sanctioned for distribution. (*Cheers*).

The actual subject of the motion is a very old question. It was discussed by the Indian Irrigation Commission many years ago, I think in the year 1904, and after considering all the pros and cons the Indian Irrigation Commission turned down the proposal that the assessment should be made by the revenue staff. Now I think that the decision of a commission which has taken evidence in a laborious manner and has had the time to weigh all the arguments, I think their decision should go a very long way with us in helping to form our own decision upon this subject. I appreciate the compliment paid to the revenue staff which is implied in this resolution and in the speeches of the various speakers who have supported the resolution. It is very nice to learn that they have such confidence in the revenue staff that they would like to hand over the assessment of fluctuating land revenue to them. But I regret to say that I cannot gladly accept these duties on behalf of the revenue staff for the simple reason that that staff is absolutely overburdened at the present moment. (*An honourable member :* They are already performing these duties, and no additional duties will be imposed upon them). No. I have constantly to resist the attempts of my colleagues among the Secretaries to Government and other departments to put upon the patwari fresh duties. Already one department has succeeded in putting upon him a very big duty indeed which is to a great extent extraneous to his real duty of maintaining revenue records, that is, the duty of preparing the electoral

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roll. That has increased the work of the patwaris to an enormous extent. Then, from time to time I am asked to permit patwaris to help in municipal elections and in district board elections. I very strongly object to their doing so, but in some cases, such as Batala, I have been unable to refuse because they have been doing it in the past, and it has been represented to me that the elections cannot be fairly conducted without the help of the revenue staff. As you know the patwaris' duties are multifarious. Their main duty is the maintenance of the revenue record, and the importance of the correct maintenance of revenue records to the zamindars of this province is so great that I think the zamindars will be extremely ill-advised to attempt to put fresh duties upon the patwaris. I remember that when as settlement officer of Sialkot I made a sporting offer to the zamindars of that district that if they would accept a 25 per cent. increase of their land revenue I would shut down the settlement operations the next day. They said; "done, we will gladly pay 25 per cent. more than the present land revenue and get rid of all these settlement operations." I was delighted to hear it, but pointed out that it meant no further revision of land records. They then said the records must be revised and settlement operations must go on. That shows the importance that the zamindars of the Sialkot district attached to the correct maintenance of their revenue records and they were very wise indeed because mistakes in their revenue records lead to endless litigation, and a careful enquiry into the mortgages and indebtedness of any village in a district, such as the Sialkot district, will elicit the fact that a great deal of it is due to litigation. The patwari, as you know, has to keep the revenue records, he has to do *girdawari*, he has got to give endless reports. If cattle disease has occurred, he has to report it; if there is an epidemic among human beings it is the patwari who has to send the report. He has got to prepare the electoral rolls; he has got to report the death of jagirdars and *muafidars*; he is constantly called upon to go to headquarters to give evidence in cases; he has got to give extracts from the revenue records; he has to prepare the cattle census and all sorts of census. His duties are endless: to my mind they are really more than he can discharge. I cannot increase the number of patwaris, and we have come very near the stage when the patwari cannot discharge all his duties, and the first duty which will suffer is the maintenance of land records, and that is his basic duty and the most important of the whole lot of his duties. If you could increase the number of revenue patwaris by reducing the number of irrigation patwaris, I would begin to take another view of this question. But it is impossible, so far as I am aware, to make any reduction in the number of irrigation patwaris, for the reason that irrigation has to be recorded day by day as it progresses. It needs the whole time of a patwari. There is no doubt about it. Irrigation does not cease except when there has been a closure, but it is a progressive thing that has to be recorded constantly day by day, and the irrigation patwari has got to record all irrigation constantly up-to-date. Then if the record of irrigation has to be done by irrigation patwaris the natural thing is that they should keep up the papers on which the assessment of *abiana* is based, and the assessment of *abiana* should surely go *pari passu* with the assessment of land revenue. If you have one department saying this field shall pay Rs. 4-8-0 for *abiana* for wheat and the other department saying this field should pay nothing for land revenue because it is *kharaba*, then the position of the two departments contradicting each other becomes absurd. If I were satisfied

[Mr. D. J. Boyd.]

even that the record of crops kept by the revenue patwaris was accurate, I would have less hesitation in accepting the resolution. But in this very House I have repeatedly heard non-official members talking of the revenue patwari sitting in the village *chaupal* or *dera* and writing up his *girdawari* there. (An honourable member: *Girdawari* done in a *chaupal* is always very accurate). I am delighted to hear it. As a matter of fact that is the most inaccurate way as the honourable member himself knows. In the last year a very careful comparison was made of the record of crops in a group of villages made by the irrigation patwaris and that made by the revenue patwaris; and I regret to say that the conclusion came to after a very careful comparison was that the record of the revenue patwaris was false in one or two villages; and the further conclusion was that in those villages the *girdawari* was written up in the *chaupal*. The canal patwaris cannot do that. I have not checked his work myself, but I do not see how he can do that. If he records the irrigation from day to day he cannot do so sitting in the village *chaupal* or *dera*. He has got to go to the fields and see water spreading from field to field. I can see no hope of a reduction in the number of irrigation patwaris, and, therefore, I see no hope of an increase in the number of revenue patwaris without an extra expenditure to Government, and at the present time Government cannot afford to indulge in any avoidable expenditure.

There is another very important point. I am afraid I must concede to the Irrigation Department that their supervision over their patwaris is very much better than the supervision that we revenue officers can exercise over ours. We would like to exercise much more supervision, but as you know, the Deputy Commissioner has got so much work that it is out of the question for him to check much of the *girdawari* work himself. We have one revenue assistant for the whole district, and he has to spend the whole *girdawari* month in checking this work. But his jurisdiction is very large, and all that he can do is to inspect a few villages here and there. Tahsildars again ought to inspect the *girdawari* work, but they cannot do that thoroughly because, as you know, the tahsildar is the foundation stone upon which the whole superior administration rests, and every bit of administrative work ultimately goes down to the tahsildar, and the inspection of *girdawaris* is only one of the many duties that he has to perform. The result, therefore, is that our supervision of *girdawari* work is by no means as efficient as it ought to be. Here again, I am a little bit handicapped by ignorance of the detailed working of the Irrigation Department, but so far as I can see, outside the distribution of water all their staff practically are available for checking the entries of irrigation and of crops. This is an enormous asset. I think, therefore, that supervision by the Irrigation Department is almost certainly very much more effective than supervision by the Revenue Department. We have heard a good many allegations this afternoon about corruption on the part of the Irrigation patwaris. I do not think that that is peculiar to this department. I do not think that you can say that one department is worse than another in matters of this nature. It is a matter of opportunity. Whichever department has the greater opportunity that department is likely to be more corrupt unless supervision is such that corruption can be stopped. As I have already said, it seems to me that there is far greater chance of

detailed supervision over irrigation patwaris than there is over revenue patwaris. I have no reason at all for thinking that irrigation patwaris should be more corrupt than revenue patwaris except of course when there is the assessment of *abiana*; but that is the case in the case of revenue patwari also when assessing land revenue. I cannot, therefore, throw any stones at the other department.

Talking of the subject of supervision, the honourable mover of the resolution gave us two or three instances which proved the extraordinarily efficient supervision of the superior irrigation staff. He told us of two or three cases in which there had been complaints about the action of irrigation patwaris and the next day the Deputy Collector was on the spot and checked the work. That only proves my point that with a large supervising staff the Irrigation Department is much more likely to keep a tight hand upon its patwaris than ourselves.

Pir Akbar Ali asked that we should make an experiment, that we should make a trial of the system of assessment by revenue patwaris. He is aware, of course, of the experiments about which, I think, the Chief Secretary who has studied it very minutely, can tell the House more than I can. But the Karnal experiment, I must point out, was a failure although the Financial Commissioner of the time, Mr. King, was very anxious to see that it should be a success. With that memory I am very unwilling indeed to start another experiment.

Mr. R. P. Hadow (Chief Engineer, Irrigation): Owing to the shortness of time at the disposal of the Council I will not take much time, but I do want to clear two points. One of them, I think, is not clear in the minds of a great many speakers of to-day. That is, that as the law stands, *kharaba* for irrigation is only given for a complete failure; and a four anna crop is taken as a complete failure. It is a statutory rule and must be followed. There is no question of sympathy or *mehrbani* or anything of that sort. If the assessment of *kharaba* were to be done by the civil department, they would have to follow the same law. I gather that the honourable mover's idea is that if assessment is done by the civil department he can get something out of it. I think I know where he gets that idea from. (*Khan Huwat Khan Dahi*: From my experience). I know cases where some big land owners get 80 per cent. *kharaba* every year. I know the places too.

There is one another point urged, and that is, that the Irrigation Department should not, as it were, hear appeals against its own judgments. They inspect the crops and, therefore, they should not hear any appeal against their *kharaba*. That seems to be an entirely mistaken idea about the position. What is this "judgment"? The "judgment" merely consists in the presentation of a bill. There is no real judgment. A certain area is irrigated at certain rates. The area is admitted and the rate is fixed. Where then is the judgment? This is exactly the same "judgment" as you get if you buy something from a shop and you get a bill at the end of the month. Coming to the "appeal" so-called, it is merely a statement by the zamindar that his field has produced a crop which is of less value than four annas. It is a statement which can be verified at site. That is the whole basis of the *kharaba* system. The old *kharaba* rule was that if the crop did not pay for the cost of seed and sowing, then it is understood as *kharaba*. A few years

[Mr. R. P. Hadow.]

ago that rule was altered to a four anna crop. My personal opinion is that this change was a great mistake. I have often inspected fields and given *kharaba*, and I have given satisfaction to the zamindars whether they were getting anything out of their fields or not. But when it comes to four anna crop, there is no loophole. You have got to judge the field down to one seer, and I do not think anybody can do that. If the honourable member's idea is that the assessment of four anna crop is incorrectly done by the Canal Department, why does he propose to go to the Civil Department? There is in this province the Agriculture Department which is supposed to know more about agriculture than any other department. (*Interruption*).

As the honourable member knows, a discussion about *kharaba* rules has been going on in a committee, and that question will be before the Government,—in fact I think it is before the Government,—and I have no doubt that a decision of some sort would have been reached but for the inevitable dislocation of departmental work on account of this budget session. I would suggest to the honourable member to wait and see what happens to that before pushing this resolution to any conclusion.

The Council then adjourned till 2 -30 p.m. on Friday, 24th March 1933.

PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Friday, 24th March 1933.

THE Council met at the Council Chamber at 2-30 P.M. of the clock. Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

LOAN TAKEN BY MULTAN MUNICIPALITY.

***2421. Lala Chetan Anand :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether the Multan Municipality has taken any loan from Government ;
- (b) if so, the rate of interest charged by the Government ;
- (c) whether it is a fact that the rate of interest has considerably gone down in the market ;
- (d) whether the Government intends to revise the rate of interest charged by them from the Multan Municipal Committee ?

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

(b) $7\frac{1}{2}$ and $6\frac{1}{2}$ per cent. per annum.

(c) Yes.

(d) No.

FRONTIER CRIMES REGULATION.

***2422. Lala Chetan Anand :** Will the Honourable Member for Finance please state—

- (a) whether it is a fact that Frontier Crimes Regulation is in force in some of the districts of the Punjab ;
- (b) whether Dera Ghazi Khan is one of the districts ;
- (c) whether he is aware that Dera Ismail Khan, a neighbouring district (in the Frontier Province) has been exempted from the operation of this Act ;
- (d) whether the Government is prepared to exempt the districts in the Punjab, especially the Dera Ghazi Khan district, from the operation of this Act or at least the Hindus of Dera Ghazi Khan residing in plains ?

The Honourable Sir Henry Craik : (a) and (b) Yes.

(c) Yes, temporarily for one year with certain important reservations.

(d) No.

WATER SUPPLY IN WALI MUHAMMAD CANAL.

***2423. Lala Chetan Anand :** Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that the water supply has decreased to a great extent in Wali Muhammad Canal of the Multan district ;
- (b) for how much time this canal irrigated the lands last year ;
- (c) whether this scarcity of water is due to opening of new canals, and adversely affected the zamindars owning land on this canal ;

[Lala Chetan Anand.]

(d) whether the Government intends to remove the complaint of the zamindars ;

(e) when the Havelian Project is to be taken in hand ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The supply has decreased since the opening of the new canals in 1915, but only to a slight extent.

(b) For 111 days.

(c) Possibly.

(d) Yes, if possible.

(e) As the honourable member has already been informed, copies of the Haveli Project have been supplied to the Council, and the project is under consideration.

SIKANDERABAD RIOT AND RELIEF FUND.

***2424. Lala Chetan Anand :** Will the Honourable Member for Finance please state—

(a) the total amount subscribed to the relief fund started to relieve the sufferers of Sikanderabad riot, referred to in answer to my question no. 1058¹ of 29th February 1932 ;

(b) the total amount distributed by this relief fund to the sufferers ;

(c) whether it is a fact that practically no relief has been given to the sufferers ;

(d) whether it is a fact that about all the shops and houses put to fire during that riot are still in that burnt condition ?

The Honourable Sir Henry Craik : (a) Rs. 1,599-12-0.

(b) Rs. 1,599-12-0.

(c) The whole amount subscribed by the charitable public has been distributed, and this presumably has afforded some relief to the sufferers.

(d) It has been reported that out of the shops burnt three have been rebuilt and two are under construction. The owners of the remaining shops have not yet started work.

DACOITIES.

***2425. Lala Chetan Anand :** Will the Honourable Member for Finance please state—

(a) how many dacoities were committed in the Punjab during the year 1932 ;

(b) how many persons were murdered in these dacoities ;

(c) the total loss suffered ;

(d) the number of dacoities in which shop-keepers were the victims and the amount of their total loss ;

(e) whether there has not been an increase in the number of dacoities committed on shop-keepers of late ;

(f) what steps the Government has taken to protect shop-keepers of villages ?

The Honourable Sir Henry Craik : (a) Two hundred and twenty-one.

(b) Fourteen.

(c) About Rs. 2,00,500.

(d) In 29 cases shop-keepers were the victims. Their loss amounted to about Rs. 59,281, but a certain proportion—exact amount unknown—was recovered.

(e) No.

(f) The honourable member's attention is invited to the reply given to part (f) of Council question no. 1057¹ (starred).

STATE PRISONERS.

***2426. Lala Chetan Anand :** Will the Honourable Member for Finance kindly state—

(a) how many State prisoners there are in the Punjab jails ;

(b) the names of jails in which they are kept ;

(c) the names of non-official visitors who are entitled to visit these prisoners ?

The Honourable Sir Henry Craik : (a) Thirteen, of whom 6 do not belong to this province.

(b) Sub-jail, Muzaffargarh ;

New Central Jail, Multan ;

Central Jail, Montgomery ;

Central Jail, Lahore ;

District Jail, Mianwali ;

District Jail, Campbellpur.

(c) The attention of the honourable member is invited to Punjab Government notification no. 21153, dated the 11th May, 1932. Special non-official visitors have still to be appointed for the Sub-jail, Muzaffargarh and District Jail, Campbellpur.

SALE AND MORTGAGE OF LAND.

***2427. Khan Bahadur Mian Mushtaq Ahmad Gurmani :** Will the Honourable Member for Revenue please state—

(a) the total land transferred through sale and mortgage respectively from agriculturists to non-agriculturists and *vice versa* in Muzaffargarh district since the third regular settlement ;

(b) the total loss or gain in area to agriculturists ;

(c) whether it is a fact that land belonging to agricultural tribes is rapidly going in the hands of non-agriculturists ;

(d) if the answer to (c) above be in the affirmative, what action Government proposes to take to check this ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a), (b) and (c) A statement is laid on the table giving the information required so far as it is available.

(d) The Punjab Alienation of Land Act is designed to check the transfer of land from members of agricultural tribes to others. Further legislative action is not desirable, but Government will continue to do what it can within reason to improve the condition of agriculturists of the Muzaffargarh district.

¹Volume XXI, page 22.

BENAMI TRANSACTION IN SALE AND MORTGAGE OF LAND.

***2428. Khan Bahadur Mian Mushtaq Ahmad Gurmani :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that *benami* transaction in sale and mortgage of agriculturists' land is greatly practised in Muzaffargarh district ;
- (b) whether the district revenue authorities have brought this matter to the notice of the Government from time to time ;
- (c) what action the Government has taken in this matter ;
- (d) whether the Government is considering the desirability of giving powers to revenue authorities to decide finally cases like the partition cases in which civil courts have no jurisdiction ;
- (e) whether the Government is also considering to make necessary amendments in the Alienation of Land Act and rules made thereunder to this effect ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The Government have no information .

(b) No.

(c) Does not arise.

(d) and (e) The questions are not understood, but I shall be glad to discuss the matter with the honourable member if he will come to see me.

ECONOMIC CONDITIONS OF MUZAFFARGARH DISTRICT.

***2429. Khan Bahadur Mian Mushtaq Ahmad Gurmani :** With reference to his reply to my starred question no. 2114, part (c)¹ asked on the 25th November 1932, will the Honourable Revenue Member please state—

- (a) what action has been taken on each of the proposals mentioned in the Punjab Government Resolution no. 5862-R., dated the 5th December 1928, published in *Punjab Government Gazette*, dated the 7th December, 1928 ;
- (b) what progress has been made, in each year, since the passing of Government Resolution ;
- (c) whether the Government has collected information as to what extent the Government proposals have fulfilled the needs of the district ;
- (d) whether the Government has reviewed the whole question in the light of that information, if not do they propose to do so now ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) and (c) The attached note indicates the action taken by Government.

(b) The progress to date is summed up in the reply to part (a). It would serve no useful purpose to describe the annual stages by which it has been achieved.

(d) Yes.

[Hon. Capt. Sir Sikander Hyat Khan.]

Note showing the action taken by Government on the proposals referred to in Punjab Government Resolution No. 5862-R., dated 5th December 1928.

Irrigation.—A skeleton of the Haveli Project which provides for a weir controlled supply to the Ganes, Karm and Taliri canals together with new irrigation on the right bank of the Chenab river has been prepared. Proposals for remodelling the six Indus inundation canals in the district at an estimated cost of Rs. 9½ lakhs have been approved by Government and are being carried out as funds permit. An advisory committee consisting of 6 official and 10 non-official members has been constituted for the Muzaffargarh inundation canals. In spite of the financial stringency the expenditure on the Muzaffargarh inundation canals for the quinquennium ending 1932-33 amounted to Rs. 21,61,533 against Rs. 4,03,590 for the previous quinquennium.

II. Land Revenue.—Mr. Anderson was placed on special duty to revise the assessment of those estates which had permanently deteriorated. As a result of his enquiry the assessment has now been made fluctuating in the Pucca and Thal circles of the Muzaffargarh tahsil which were previously under fixed assessment.

III. General administration.—Special care is taken in the selection of revenue and executive staff for this district, and an effort has been made to make service in the district more attractive.

IV. Medical.—Out of 4 hospitals 3 have since been provincialized. On account of the financial stringency the provincialization of the Kot Adu hospital has been held in abeyance. The quota of nine rural dispensaries allotted to the district has since been completed, and question of opening a rural dispensary at Khanwah was considered for several times, but for want of funds had to be dropped.

V. Public health.—In addition to the normal staff two sanitary inspectors have been appointed from 11th April 1929. In spite of the financial stringency quinine worth over Rs. 4,000 has been given gratis to the District Board, Muzaffargarh, for combating fever, etc.

VI. Education.—The grade of the District Board of Muzaffargarh for the purposes of grant-in-aid for vernacular education has been raised from 70 per cent. to 80 per cent. Since 1929-30, the district board has received Government grant at 80 per cent. of its approved additional expenditure on vernacular education.

VII. Co-operative Societies.—Sanction of the Government has been accorded to the establishment of a co-operative land mortgage bank combined with an arbitration society to settle existing claims between lenders and debtors. The primary object of the establishment of the bank is the redemption of old mortgages.

VIII. The Senior Sub-Judge, Muzaffargarh, has been invested with the powers of hearing bankruptcy petitions.

IX. Agriculture.—The proposal to start an Agricultural Demonstration Farm at Khan-garh was turned down because the land selected was so far from being representative of the district that results obtained would not have been applicable to the district as a whole. The question of starting an agricultural farm is in abeyance at present as there is no likelihood of funds being available in the near future.

X. Colonization.—One hundred rectangles were sanctioned for peasant grantees from the Muzaffargarh district as an experimental measure. The grantees were selected by the Deputy Commissioner, Muzaffargarh and the land was allotted by the Colonization Officer, Jili Bar. While making this allotment the Deputy Commissioner observed that the people of the district were extremely reluctant to leave their homes despite their poverty. No further allotment has since been made.

124 The question of colonizing or cultivating the local rakhs in the Muzaffargarh district has also been engaging the attention of Government. The Chief Engineer, Irrigation Branch, who was consulted in the matter observed that the question of colonization could not be considered until the Thal Project had been sanctioned. The local officers were asked to explore the possibilities of well sinking in the Muzaffargarh district, and the Director of Agriculture was asked to report whether these rakhs were suitable for the installation of tube-wells. It was reported by the Director of Agriculture that the land of these rakhs was poor, sandy, and *kallar*, and was not, therefore, suitable for tube-wells. The proposal of starting a demonstration farm was turned down by the Agricultural Department on account of poor quality of the soil. The Forest Department was then approached to take over some of these rakhs but as this department could do very little to improve them the proposal had to be dropped.

REVENUE FROM DATE CROP.

*2430. **Khan Bahadur Mian Mushtaq Ahmad Gurmani :** With reference to his reply to part (d) of my starred question no. 2119¹ asked on the 25th November 1932, will the Honourable Revenue Member please state—

(a) what decision the Government has made in the matter;

(b) whether the Government is prepared to consult the Standing Committee on Land Revenue on this matter?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) and (b) The Deputy Commissioner has been asked to expedite his proposals, and when they are received it will be decided whether the Standing Committee on Land Revenue should be consulted.

EXPERIMENTAL FARM IN MUZAFFARGARH DISTRICT.

***2431. Khan Bahadur Mian Mushtaq Ahmad Gurmani :** Will the Honourable Minister for Agriculture please state—

- (a) whether the attention of the Government has been drawn to the recommendation of Anderson Committee under Head 8 (Education) regarding the establishment of an experimental farm in Muzaffargarh district ;
- (b) what action has been taken by the Government in this connection ;
- (c) when the Government proposes to start an experimental farm in Muzaffargarh district ?

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

(b) The proposal was considered, but the Retrenchment Committee recommended the abandonment of all district farms.

(c) I will get the proposal to open a farm re-examined.

MORTGAGE BANK IN MUZAFFARGARH DISTRICT.

***2432. Khan Bahadur Mian Mushtaq Ahmad Gurmani :** Will the Honourable Minister for Agriculture please state—

- (a) whether the Government agreed to start a Mortgage Bank in Muzaffargarh district in 1928 ;
- (b) why it has not been started so far ;
- (c) whether the Government is prepared to start the bank this year ;
- (d) if not, when it proposes to do so ?

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

(b) The promoters of the scheme decided that the proposal be postponed till 1932-33.

(c) No.

(d) When economic conditions hold out a promise of success.

MURDER OF MAHABIR AT JHAJJAR.

***2433. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that a young Brahman boy named Mahabir was shot dead at midnight with a gun by a gang of ruffians at Jhajjar in the Rohtak district, on 7th April 1932 ;
- (b) whether it is a fact that the local police was not able to trace the culprits ;

[Lala Jyoti Prasad.]

- (c) whether it is a fact that the statements of some eye witnesses were recorded by the police and yet none of the culprits was sent up for trial;
- (d) whether it is a fact that one Bhaskar, Brahmin, grandfather of the deceased, submitted several petitions to the Deputy Commissioner, Rohtak, the Superintendent of Police, Rohtak, the Deputy Inspector-General of Police, Eastern Range, Ambala, and the local Government making serious allegations about the complicity, especially of a police officer;
- (e) whether it is a fact that Lala Hardawari Lal Gupta, General Secretary, Sewa Samiti, Jhajjar, also made several representations to the authorities complaining against the attitude of the local police and asking for a fair and proper enquiry;
- (f) if the answers to (d) and (e) be in the affirmative, what action was taken on these petitions and representations;
- (g) whether the investigation is now complete and whether the culprits have now been traced;
- (h) if the answer to (g) be in the negative, what are the reasons for this long delay, and what steps Government proposes to take in order that the case be investigated successfully at an early date?

The Honourable Sir Henry Craik : (a) Yes.

(b) Yes.

(c) The so-called "eye-witnesses" first stated that they recognised none of the culprits. Several weeks later the same eye-witnesses declared they had recognized certain culprits who, incidentally, were their enemies.

(d) Yes. Several such applications were made and were found to be totally false. No representation was, however, made to Government.

(e) Yes.

(f) Selected officers were deputed to investigate this case.

(g) The investigation is not complete, but the eye-witnesses were so emphatic regarding the culprits whom they alleged that they had identified that it was decided to send these culprits for trial by a court of law, and the case is now *sub-judice*.

(h) Delay has been caused by the difficulties of the case and the change in the attitude of so-called eye-witnesses. Government are satisfied that the case is receiving and has received special attention.

MURDER OF JHABARIA, A RAILWAY DRIVER AT BHATINDA.

***2434. Lala Jyoti Prasad :** Will the Honourable Finance Member please state—

- (a) whether it is a fact that one Jhabaria, driver of Bombay-Baroda and Central India Railway was brutally murdered at Bhatinda in the Railway Running Room on the night of 28th January 1933;

- (b) the result of investigation by the local police ;
- (c) whether it is a fact that one Mangal Ram, fireman, brother of the deceased, submitted petitions in the beginning of February, 1933, to the Deputy Commissioner, Ferozepore, Superintendent of Police, Ferozepore, and Assistant Inspector-General, Railway Police, Lahore, complaining against the local police, and requesting the authorities to depute a special officer for purposes of the investigation of the case ;
- (d) if the answer to (c) be in the affirmative, what action has been taken by the officers mentioned above on the said petitions ;
- (e) if no action has already been taken in the matter by the officers concerned, what steps Government proposes to take so that the culprits be traced and justice be done ?

The Honourable Sir Henry Craik : (a) Yes.

(b) The case is still under investigation.

(c) Yes.

(d) and (e) The gazetted officer in charge of the sub-division was instructed to deal with this case personally. He has done so, and has visited Bhatinda. A special officer of the detective staff, holding the rank of inspector, has also been deputed to assist in investigation of this case.

UNSTARRED QUESTIONS AND ANSWERS.

FISHERIES DEPARTMENT.

643. Sardar Sahib Sardar Ujjal Singh : Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that the Punjab Fisheries Department has been amalgamated with the Department of Agriculture ;
- (b) if so, what changes have been effected with regard to the expenditure in respect of the Fisheries Department ;
- (c) whether it is proposed to entrust the inspection of, and the clerical work concerning the fisheries department to, the extra assistant and deputy directors of agriculture ?

The Honourable Sardar Sir Jogendra Singh : (a) No. The departments are still distinct.

(b) Expenditure has been reduced by the reduction of the post of the Warden of Fisheries.

(c) No.

FISHERIES DEPARTMENT.

644. Sardar Sahib Sardar Ujjal Singh : Will the Honourable Minister for Agriculture please state—

- (a) the total number of employees in the cadre of the fisheries staff and the scientific and academic qualifications they possess ;
- (b) whether the outdoor staff is working under the direct supervision of a gazetted officer with scientific knowledge ;

[S. S. Sardar Ujjal Singh.]

(c) if so, the scientific and academic qualification of that gazetted officer ;

(d) if not, whether it is proposed to place the outdoor staff under the direct supervision of an officer with scientific qualifications ?

The Honourable Sardar Sir Jozendra Singh : (a) Thirty-one. Only the Research Officer has scientific and academic qualifications.

(b) No.

(c) Does not arise.

(d) No. The Director of Agriculture who has scientific qualifications is in charge of the department.

PUNJAB MUNICIPAL EXECUTIVE OFFICER (AMENDMENT) BILL.

Mr. Muhammad Din Malak (Lahore City, Muhammadan, Urban) : Sir, I beg to move—

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

The motion was carried.

Mr. Muhammad Din Malak : Sir, I beg to introduce the Punjab Municipal Executive Officer (Amendment) Bill.

Mr. Muhammad Din Malak : Sir, I beg to move—

That the Punjab Municipal Executive Officer (Amendment) Bill be taken into consideration at once.

I do not think it necessary to say much in support of this motion beyond expressing the hope that every section of the House will welcome the Bill I have brought forward. We have long waited for the next instalment of reforms, and now the promised land is not only within sight but it is literally almost within our grasp. Let us not then forget at this momentous juncture in our political life the great obligations we owe to the local bodies. These bodies have been and continue to be the main nucleus of our political activities, and whatever practical experience we may boast of in the art of self-administration has been achieved through them and from them. It smells strongly, therefore, of ingratitude on our part as it is certainly entirely out of spirit of the times that while clamouring and claiming for ourselves larger and still larger powers, higher and still higher authority in the upper strata of self-government, we should have the cheek actually to cut down the existing powers of the local bodies. The Bill I have introduced does not seek to confer any new powers on the local bodies. It does not even seek to enlarge the powers already possessed by them. All that it does is that it aims at toning down the undue severity of the Punjab Municipal Executive Officer Act, and giving back to the local bodies a portion of the authority which was wrested from them only recently. I trust that all well-wishers of democratic institutions will give their hearty support to this Bill and that the Punjab Government, unless it is out deliberately to support the worst criticism of the worst critics of the White Papers will be in the fore-front of the supporters of this Bill.

Mr. President : Motion moved—

That the Punjab Municipal Executive Officer (Amendment) Bill be taken into consideration at once.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): Sir, I rise to support the motion just moved. The Bill is so important that it should be taken into consideration at once. The municipalities have already been suffering on account of the appointment of a number of executive officers. The stories of their misdoings are well-known to honourable members of this House. Every honourable member is aware of the sorry condition of the Sialkot Municipality on account of the appointment of the executive officer, so much so that it has led to the removal of one or two members of the municipal committee. When the Act was under consideration we pointed out that these would be the inevitable results, and that it would result in undue interference with the municipalities. Everything that we said then and every foreboding that we then uttered has come true in a very short time. It seems that the Act is absolutely intolerable, and that the executive officers appointed have not justified their existence. What is still worse is the fact that the executive officers have not been chosen with a view to help the working of the municipalities, and I can give you examples of one or two men who were utterly inexperienced in the service being thrust on the municipalities. So far as Ludhiana is concerned, the executive officer is one who has not got much experience in the service, and I remember I got him appointed as a tahsiidar candidate in Jullundur. No sooner has he come back from settlement than he has been thrust on the municipality. This is the experience of every municipality. A man without any experience is put at the head of these tried members having long experience of municipal affairs. The result can be nothing worse than what has come about. In such circumstances it is quite evident that it was the intention, consciously or unconsciously of somebody that the work of municipalities should be spoiled, and to say afterwards that these municipalities were good for nothing. The National Unionist Party is to be congratulated on the solid opposition which they offered like one man to the passing of this Act, and if one reads through the speeches delivered by the various members of the party on the occasion of the passing of the Act one would find that each word uttered on the floor of this House has come to be true, and time has proved that we were quite right. It is very strange that the Honourable Minister for Local Self Government who has been administering the municipalities for a long time and who has had experience of the biggest municipalities in the Punjab could not foresee it. It is very strange indeed, and yet it was his forceful personality which carried the Bill through, and the National Unionist Party is not to blame for the results that have followed. It may perhaps be contended in answer to my speech that only a short time has passed after the appointment of executive officers, but I am reminded of that proverb which says that coming events cast their shadows ahead. I again make bold to prophesy that the institution of executive officers would prove a miserable failure, especially when they know that they have not been appointed by the municipality. The provision which was incorporated in the Act was framed in such a clever way that it left all authority in the hands of Government, for everybody knew in the heart of his heart that five-eighths majority of members will never be available for any candidate, as long as there are three communities in the Punjab. This five-eighths majority will never be attained. In how many cases in the Punjab has this majority been secured for any candidate? Has it been secured in the biggest Municipality of Lahore? Has it been

[Ch. Allah Dad Khan.]

secured in Amritsar? There is one solitary Municipality of Bhiwani or Rupar perhaps where by some hook or crook this majority has been secured. One stray example does not prove the rule. It is up to the Honourable Minister to accept this Bill with good grace, otherwise in a short time the results would be still worse, and at that time I do not think he will escape the responsibility for having brought in the mischievous Act to destroy the value and worth of the municipalities. This Bill that has been introduced to-day is, therefore, an important one, and the Council should as one man vote for it and should carry this into effect to improve the existing law. This Bill is to make the Executive Officers Act workable and to remove the impracticable provision from the Act. The impracticable part is touched in section 4 of this Bill which is sought to be enacted, and if this is done I do not care whether the other provisions of the Bill are passed or not. But section 4 must be passed, and I think this is the only way in which the Honourable Minister can improve the Act. This in fact is a help which is offered to him out of our good will, otherwise there is open to us another way, and that is, to destroy the Act altogether. This will keep him with a good face in the presence of the world, and will enable him to say that he has after all succeeded in improving the Act and making it workable; otherwise you cannot say sitting in this Chamber that the work of the executive officers has been quite all right. Ask those members of the municipality who have to deal with these officers. Is there anybody who says that these executive officers have proved a blessing? Of course they have proved a blessing, but a blessing in disguise, and they will of course surely lead to the improvement of municipalities if the useful measure which has been introduced and any other measure which may be introduced later is accepted. I hope the Honourable Minister will accept this measure with the willingness and readiness which is characteristic of him. With these words I support the motion before the House.

Khwaja Muhammad Eusoof (South-East Towns, Muhammadan, Urban), (Urdu): Sir, I rise to support the Bill now before the House. I will try to show how this Bill which aims at amending the Punjab Municipal Executive Officers Act is absolutely essential. This Act which was passed a few months back snatched away from us the very substance of freedom which we enjoyed before. It is only fifty years back when Lord Ripon laid the foundation of self-governing institutions in the country. That showed that the British Government was anxious to redeem its promise once held out to the people of this country that as soon as they were fit for self-government the reins of government should be handed over to them. Later on Mr. Montague and Lord Chelmsford prevailed upon the British Government to grant further instruments of reforms to this country. It is due to their efforts that we see to-day Indian ministers sitting amongst us. Naturally we expected, although in vain, that these ministers will help their countrymen in the realisation of their national aspirations. The Honourable Minister for Local Self-Government, a well-known nationalist, instead of promoting the cause of local self-government has deprived us of the opportunities already afforded to us to get ourselves trained in the art of self-government. But I take this opportunity to warn him that the time is fast approaching when he will be called upon by the people of this country

to explain his conduct with regard to this nefarious measure. I am sure he will have nothing to say in defence, and will probably hang his head in shame. I think the honourable members of this House must have heard much about the doings of the executive officers recently appointed in some of the municipalities. But I would tell them something about the Ludhiana Municipality where the executive officer has ordered his subordinates to refrain from telling anything or showing any record to any of the members of the committee whether he be the president or the vice-president of the committee. (*Cries of 'shame'*). He wants to keep the members of the committee absolutely in the dark about the municipal affairs.

The Honourable Dr. Gokul Chand Narang : That is not the fault of the Act.

Khwaja Muhammad Eusooif : I will show whose fault it is. (*Urdu*). I would just tell you what happened in the Ludhiana Municipality quite recently, that is, on the 18th March. Sir, you have been the president of the Lahore Municipality and the President of this House for a long time, and you would realise from what I am going to state the significance of the insult offered to the Vice-President of the Ludhiana Municipality. Seth Sant Dass, a premier rais and a very capable lawyer at Ludhiana, is the vice-president of the committee. He asked Mr. Abid Husain, the typist, to type a note concerning some municipal affair. The latter flatly refused to do that, saying that he was ordered by the Executive Officer not to do any typing work for the president or the vice-president or for any member of the committee. Thereupon the vice-president wrote as follows to the Executive Officer—

Mr. Abid Husain has just now brought to my notice that you have verbally ordered him not to type any letters if required to do so by the President or the Vice-President, and accordingly he has refused to do the typing work to-day at 10.30 A.M. Will you kindly let me know at your earliest if you have given him any such order.

On this the Executive Officer called upon Mr. Abid Husain to explain if any such order was given to him. Mr. Abid Husain submitted the following explanation :—

No orders were issued by you, but that you had told me that I should ask for permission before doing any work for anybody. I have not refused to do the work.

Then the Executive Officer submitted the above explanation to the vice-president with the following remarks :—

The explanation of Abid Husain is quite clear. For sake of discipline he was directed to obtain my orders or in my absence that of Secretary, &c., before doing the private work of anybody. There was mention of the President or the Vice-President. If the staff go on attending to the private work of others the office work is bound to suffer. The Vice-President ought to have first satisfied himself before making this enquiry from me. The work suffers if we go on discussing such like trifles.

Sir, I can tell the House that I have made inquiries and found that none of the members of the committee has ever asked any municipal employee to do any private work for him. This is baseless allegation. After receiving the note of the Executive Officer the Vice-President wrote on it the following words :—

Seen. To be laid before the next meeting.

[Khwaja Muhammad Ensoof.]

After this the Vice-President passed the following order :—

On the 18th of March 1933, at 10-30 A.M., Mr. Abid Husain, the typist, was called by me in the Municipal Hall to type a note concerning some municipal affair, and he flatly refused in an insulting tone to do the work, saying that the Executive Officer had ordered him not to do any work for me. The Executive Officer was asked forthwith to kindly explain the matter. According to the Executive Officer's report Mr. Abid Husain had no such orders from the Executive Officer regarding the President or the Vice-President. If it was so then I think Mr. Abid Husain was solely responsible for creating friction between the Vice-President and the Executive Officer. The explanation submitted by Mr. Abid Husain to Executive Officer is quite unsatisfactory, and seems to be an after-thought. Nor it is supported by the Executive Officer. I am, therefore, of opinion that the refusal on the part of Abid Husain, typist, to do the Vice-President's work amounts to an act of gross insubordination and grave impertinence towards an officer of the committee. Such conduct of a municipal employee if left unnoticed and unpunished is liable to affect the discipline of the office. Accordingly I suspend him under bye-law No. 108, and order him not to enter the office till the decision of the committee. The Secretary will please take over the charge from Mr. Abid Husain for the time being.

After having passed this order the Vice-President then wrote to the Secretary as follows :—

Please convey my order, dated 20th March 1933, in writing to Mr. Abid Husain, typist, at your earliest, and do not allow him to enter the office till the decision of the committee. He will, however, be at full liberty to come before the committee's meeting on the 21st instant at 4-30 P.M. when his case will be put before it as an urgent one.

Thereupon the Secretary, with a view to create dead-lock, wrote back to the Vice-President—

Since the office is being controlled by the Executive Officer, it seems desirable that the above order may be communicated to him for the needful.

The Vice-President again returned the papers to the Secretary saying—

Instead of returning the papers to me you as Secretary ought to have forwarded the papers to Executive Officer for necessary action. Please do not delay the matter by adopting unusual procedure.

The Secretary instead of complying with this order of the Vice-President as he was wont to do before the appointment of the Executive Officer wrote back again to the Vice-President justifying the position he had taken up in the following words :—

I have not delayed it at all nor have I adopted any unusual procedure. I sent this back to you with my note more than 2½ hours ago, and it has been received with this order from you at 1-45 P.M. I have again, in the interest of smooth administration and discipline, to request you very kindly to address the Executive Officer on it straight instead of making me an intermediary. I am sure this will satisfy you.

This is how the Secretary behaved towards the Vice-President, and as I have already told you this was something unusual on the part of the Secretary to act in that manner. Perhaps he thought that he could flout the orders of the Vice-President with immunity so long as his boss, the Executive Officer, was pleased with him. Now I shall just let you know how the boss behaved towards the Vice-President who was compelled to write to the Executive Officer for the execution of his order suspending Mr. Abid Husain. The Vice-President wrote thus—

I am sending these papers to you for necessary action. You will please also note the conduct of the Secretary in the matter. Mr. Abid Husain has been suspended, and charge may kindly be taken from him and the matter be laid before the meeting this evening.

The following was the reply that the Executive Officer gave to the Vice-President's note above—

In reply to your note of date forwarding your order regarding suspension of Mr. Abid Husain, typist, I have to say that there is no provision in the Executive Officer's Act under which such like orders of the Vice-President are to be executed by the Executive Officer. I can comply with the orders of the committee passed in the terms of section 4 (b) (i) of the said Act. Under the circumstances I think it will be more proper to get a resolution of the committee first. The meeting is to take place just now, and if the committee passes a resolution suspending him I will have no objection to execute this order. Perhaps the Secretary did not comply with your order keeping in view the provision of the Executive Officer's Act. The matter will not be delayed as the meeting is to take place just now.

On this the Vice-President sent the case to be laid down before the committee expressing his views in the following words—

Both the Secretary and the Executive Officer have returned the papers three times without executing my order. Under the circumstances I do not understand who else would execute the order of the Vice-President. I, therefore, have no alternative left but to place the whole case before the committee, and in the interest of the discipline of the office consider it proper to bring it to the notice of the committee the manner in which both the officers have behaved.

P.S.—I have just now come to know that the President has arrived here. I send these papers to him to do the needful.

Before I proceed to tell you what happened in the committee when this matter came up before it, I may be permitted to say what these executive officers think, and they have been encouraged to think, that they have been appointed to rule over the committees, and therefore they are the monarchs of all that they survey. The Honourable Minister might be feeling proud that with the votes of the official members he was able to get this Act passed and enforced, but he will be disappointed to learn that his creatures, if I can call them so, say, and say in the public, that they do not care for the Minister for Local Self-Government, and that for them the commissioners, who have appointed them, constitute the local self-government (*laughter*). To come back to the point, when the matter came up before the committee over which I was presiding a resolution was put before it recommending that the typist in question be suspended. The Executive Officer who was present in the meeting, could not keep quiet, and knowing

that he could safely say anything even in the meeting at once got up and challenged the member, without taking my permission to speak, and said that he would like to see if the committee could suspend him also. On this I, as the President of that meeting, was compelled to ask him to please take his seat, and not to be rude and interfere in the matter. This is in brief the attitude of the executive officers, and this is how they behave towards the members, vice-presidents and presidents of municipal committees. And if this is to be their behaviour, *v.e.*, who are not paid servants of anybody and who go to the committees for serving the public and who are no doubt self-respecting men, cannot put up with such treatment and we cannot find it possible to pull on with these officers. If the Honourable Minister will not improve matters, I would like that all the presidents of the committees should at once resign as a protest against this attitude of the executive officers who go so far as to say bad things about us in the public and before their subordinates in the offices. With these words I strongly support the Bill before the House. (*Loud cheers*).

Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural): As most of us will remember, the Executive Officer Act was thrust upon us by sheer force and nothing else. No doubt, this mistake was sought to be first committed by our own Minister, I mean the present Minister for Education when he was in charge of Local Self-Government. But he rectified it and did not introduce the Bill a second time. But now the mistake has been repeated by the present Honourable Minister for Local Self-Government, and I should say, repeated with vengeance. For, the Honourable Minister has taken it as a question of personal prestige rather than as an Act of the Legislature. Our party, the strongest party in this House, opposed this Bill at each and every stage. As every one will remember, it opposed it at the stage of its introduction; it opposed it at the stage of being referred to the select committee; it opposed it at the stage when it emerged from the select committee; it opposed it at the stage when it was taken into consideration and, lastly, it opposed it at the stage of its being passed into an Act. So far as I remember, I think that it was the first time that the opposition of this party fell on deaf ears, and it had no alternative but to walk out of the House following the lead of its honourable leader. All this opposition, I remember, was based on the hope that there might be as well some hesitation on the part of the Government in bringing the Act into operation. But this proved to be a false hope and was shattered in no time. The Bill was published in the official *gazette* immediately after it became an Act. Its provisions were enforced throughout the province. The main issue on which we opposed this Bill was—I am not discussing the provisions of the Bill but only referring to the point by way of illustration—the question of the appointment of the executive officers. We wished that the appointment should be left, according to the practice and convention in other cases, to be decided by a vote or resolution of the majority of the committee. But this was not passed though a little change was made in the provision that instead of two-thirds, a five-eighths majority was inserted. Our experience now shows and we are in a position to know that that provision had proved to be a blunder. It was argued at that time that committees would appoint their officers by a majority. But to-day I am in a position to say that with the exception of one or two municipalities everywhere that officer has been appointed by Government itself. That goes to prove what is being daily said in the press and on the platform that Government takes away with one hand what it gives with the other. Though this has been said of the White Paper in to-day's Press it is equally true so far as the passing of this Act is concerned. It is open to us, now to repeal any Act of the Legislature whenever we find that it does not work properly. It is within the province of this House to repeal any enactment at any time, and I submit to the honourable House that this seems to be the proper time for us to repeal this Act, though that is not the motion before the House. As I see from the provisions of the Bill proposed to be introduced by the Honourable Malik Sahib, it is an attempt to tone down the Act which is now in force, and as such it is the strongest reason for urging that the Bill should be considered with an open mind and should not be opposed simply for the reason that it attempts to attack what I might call the revealed document, the Municipal Executive Officer Act.

Mr. P. Marsden (Secretary, Transferred Departments): I was not aware that the Bill would be discussed in such detail as it has been done to-day, and I had merely examined this Bill and seen that at any rate it was somewhat hastily conceived, and it was fairly obvious to me that this was not the time to move such a Bill as this. I am not sure whether a circulation motion is going to be moved now or not, but as the Bill has been discussed at some length and as some honourable members seem to think both that this is the sort of Bill which could now be moved, and also that it would be advantageous to repeal the existing Act at this early stage, I would just like to say a few words.

I would first of all like to allude to the remarks of one honourable member. I am never quite certain how far the House takes seriously the remarks of the honourable member, Chaudhri Allah Dad Khan, but the remarks which he made to-day were almost too grotesque, I think, for any member of this House to have taken them seriously. He attributed some of the very basest motives to Government in the appointment of executive officers. I need hardly say that the executive officers were chosen with the utmost care and deliberation, and in the expectation that they were the best possible people to carry out the extremely difficult and delicate duties with which they were being entrusted. Certainly the Act was in the nature of an experiment—it was, one might even say, a desperate experiment—to try and get committees to act with more promptness and with more efficiency than many of them have been doing. And therefore it was most essential to choose officers with the very greatest care and consideration, and I cannot understand what precisely the honourable member meant by his remarks. I have met several of the distinguished officers who are carrying on these difficult duties, and discussed with them their work, and it seems to me from what I have gathered from them that the Government was not mistaken in making its choice. They have been working extremely hard under very difficult circumstances indeed, and they have had to feel their way. Certainly some of the clauses in the Executive Officer Act are difficult of interpretation, as was bound to be the case, but it was hoped that traditions, and conventions, would in the course of time be evolved. It was hoped that both the executive officers and the members of the committees would endeavour in a spirit of reasonableness, of compromise and of mutual co-operation to work the Act and to establish traditions which might be followed in the future. In some cases most fortunately that seems to have been the case, and in almost every committee there are distinct signs of considerable improvement since the appointment of the executive officers. That I think is enough in connection with those remarks, which I must say astounded me very considerably, that were made by the honourable member, Chaudhri Allah Dad Khan.

As regards the reasons that actuated the honourable member in introducing this Bill I notice that one of the chief is that it should not have been the motive of Government to turn the local bodies into a department of Government. That certainly was not the object. The only object surely of the Bill was to try in the interests of the towns to see that the business of committees should be conducted with greater promptness and efficiency. If one turns to the Bill itself, it is very difficult to see how the proposed amendments if they are carried into force at this stage can have any good

[Mr. P. Marsden.]

effects. In each clause the Bill deals with certain points which need consideration, and I may say that the matters are at present receiving consideration, and that the deputy commissioners and the executive officers and the committees themselves have been asked to send up proposals and to suggest rules by which the matters that this Bill deals with may be solved.

Now the first portion of the Bill (section 3) suggests that it should always be the duty of Government to carry out an inquiry before the Act is extended. That section of course is entirely unnecessary because in every case, as is bound to be the fact, the Government must carry out a careful inquiry into each case, and in no case has the Act been extended without a most careful and detailed inquiry. As the Honourable Minister mentioned, I think in reply to a Council question about a year ago, there are various principles which guide the Government in extending this Act to a municipality, and it is by no means a fact that the Act is extended simply because the working of the committee is entirely unsatisfactory, as the wording of this Bill presumes. It may be because the working of the committee is unsatisfactory, or it may be because there are extremely difficult problems confronting a large committee which the appointment of an executive officer will help to solve, but it is by no means the case that the executive officer is only appointed because the affairs of the committee have been entirely unsatisfactory. Several sections of the Bill, all the middle portion of it, are taken up with the proposal to reduce the salaries of executive officers in the case of second class committees. Now the first class committees are, apart from the hill stations, only five in number—Lahore, Amritsar, Multan, Sialkot and Rawalpindi. That is to say, the honourable member suggests that in the case of almost all committees the salary of the executive officer should be extremely small, Rs. 500. That, I say, is an extremely small salary for executive officers of some committees, which are only slightly, inferior in size and importance to those five first class committees, and not at all to most of the hill station committees. It is quite obvious that the executive officers must as far as possible be above any temptation, they must be in a fairly independent position, and I am quite certain this is most certainly not the occasion to reduce the salaries that should be paid to them.

Apart from the question of the statutory majority which is necessary for the appointment and removal of the executive officer—a question which I will not go into—the rest of the proposals are concerned with the control of the staff or the committee. It is suggested that the secretary and the municipal officers themselves immediately subordinate to him shall not be deemed to be under the control and supervision of the executive officer. If that clause were carried it is quite obvious that there would be very little utility left in the appointment of the executive officer. It is absolutely essential that the staff of the committees shall be under the control and supervision of the executive officers, and so far as can be seen the control of the executive officers over the servants and over the staffs of the committees has had most laudable effects. At this stage it is impossible to alter what is one of the main *raison d'être* of the Executive Officers Act, that is to say, the bringing into being of a single responsible executive authority to control the staff and the servants and the executive working of the committee, through whom the Government shall be in a position to ensure that the work of local

Government is carried on with greater efficiency and despatch. The only other substantial section deals with the question of the official correspondence of committees. The thirteenth section of the Bill is to the effect that the president shall have full access to all records of the committee, and that no official correspondence should be conducted between the executive officer, the deputy commissioner and the local Government except through the president. The president has of course, now as before, access to all the correspondence of the committee. But as regards the provision in the second part of the clause, which lays down that no correspondence shall be conducted between the executive officer and the Government except through the president, it is practically impossible for a president of a large committee to see every letter that passes between the committee and the Government. I can assure the House that this question, of the correspondence, is being carefully considered, and rules are being prepared. At present the executive officer in matters of correspondence takes the place of the secretary, and just as the secretary used to conduct correspondence and the president in all cases of importance saw the letters, the executive officer now is responsible instead of the secretary, who is subordinate to him, and he is responsible for conducting the correspondence. If any question arises whether the executive officer should deal with a certain matter, or if any question is regarded as of special importance, such as should be referred to the president, it is of course referred to him. There is no reason why there should be any friction. As I said before, all such matters will gradually come to settle themselves in the light of experience. In a few months, I hope, rules will have been framed regarding correspondence, after the presidents and all concerned have given their opinion, and there should in future be no difficulty whatever in this matter. At any rate at this stage there is no point in introducing an amendment of the Act regarding this matter of correspondence.

I will say just one more thing. The present Executive Officers Act is undoubtedly an experiment, and it has introduced a new feature in municipal life. It is an experiment, in the sense that it represents an effort to make a discrimination between the deliberative and the executive functions of a committee. In other countries, in England for example, there is very often no distinction between the deliberative and the executive powers of a committee in theory, though there is in practice. Gradually a tradition has arisen in England for all the executive functions to be left to the permanent officials, and interference is very rare. But that is the result of compromise and of a spirit of reasonableness, and has come about in the course of many, many years of experience, whereas the Executive Officer Act, so to speak, endeavours to bridge in a moment the gaps which have only been bridged in other countries by years of experience. I would, therefore, say that although it is quite possible that some of the suggestions in this Bill may ultimately prove to be worthy of acceptance, it is certainly not a fact that this is the time for the Council to take it into consideration, and it would seem advisable that it be circulated for a considerable period, so that the provisions of it may be carefully considered by the public.

Rao Bahadur Chaudhri Chhotu Ram (South-East, Rohtak, Non-Muhammadan, Rural): Sir, when the original Bill relating to the appointment of executive officers was under consideration, I opposed it. The whole of my party opposed it. Many speakers who had occasion to criticise the pro-

[R. B. Ch. Chhotu Ram.]

visions of that Bill predicted that the appointment of executive officers instead of resulting in any increased efficiency would prove a source of a great deal of misunderstanding between the municipality and its president on the one hand and the executive officer on the other. It was feared that there would be a good deal of friction between the executive officers on one side and the municipality and its members on the other. Unfortunately those forebodings have come true. Three members of the House have made speeches in support of the motion which is now under consideration. They have laid bare the facts and made information available which go to show that already there has been a good deal of misunderstanding and friction as a result of the appointment of executive officers.

The results which were apprehended have already occurred. I felt that the original Executive Officer Bill was a bad measure, and it has proved to be a bad measure. The honourable member who represents Ludhiana in the Council has given us facts which show clearly that these executive officers are determined to make trouble in municipalities. They will not co-operate in mutual good-will as was suggested by the Secretary, Transferred Departments. They seem to be under the impression that they are there to make their authority felt and to humiliate the members. If that is the spirit in which the executive officers are to act, then there would be no efficient administration of local bodies. Instead, there will be a good deal of inefficiency, because friction and lack of smooth working can never tend to increased efficiency. In spite of my disagreement with the provisions of the original Bill and in spite of the fact that I welcome the present Bill which seeks to nullify the obnoxious features of the original Bill, I feel that the present Bill may very well be circulated in order to elicit public opinion. Therefore I move—

That the Punjab Municipal Executive Officer (Amendment) Bill be circulated for the purpose of eliciting opinion thereon by the 1st of October 1933.

This is an important measure. I do not think that it has received sufficient publicity so far. As a result of to-day's discussion a good deal of information has been supplied to the outside public, and I have no doubt that the public will now be in a position to form an accurate opinion on the Bill. I think it will be a good thing to circulate the Bill so that the public may have an opportunity of forming a considered opinion and expressing the same for the benefit of this House. This House will then be in a much better position to consider the Bill on its merits and come to accurate conclusions. (*Hear, hear*).

Mr. President : Motion under consideration, amendment moved—

That the Punjab Municipal Executive Officer (Amendment) Bill be circulated for the purpose of eliciting opinion thereon by the 1st of October 1933.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) : Sir, I thought that when the Bill was introduced and the motion for consideration was formally moved, immediately the motion for circulation would be moved and that I would get up and make a very brief statement and accept the motion, and that the whole business would be finished in perhaps five minutes or so. It has, however, pleased some members to make speeches on the merits, or rather I should say what they considered to be the demerits, of the original Act which is now in force. I shall

not go into the details which have been brought before the House by the various honourable members. The history of the Act is well-known. When I came to occupy this office a Bill which ultimately was passed with slight modifications into an Act was already there. I went through it, and my predecessor was of the opinion that it should be moved at once in the Council, and when it was moved he supported me in the Council. When it was first brought before the House and circulation motion was made, if I am not mistaken, by my honourable friend Mr. Owen Roberts, it was opposed by a considerable number of members of the Unionist Party, which I took to mean that they supported the principle of the Bill. It was only at a later stage after certain things had happened that a change came about in the policy and attitude of the Unionist Party. I have referred to this simply because some of the honourable members who have spoken have pointed out that the whole of the Unionist Party was opposed to it. It was opposed to the Bill, there is no doubt, wholeheartedly, but it was only at a certain stage and not until that stage had arrived in the progress of the Bill. That party did not oppose the measure when it was first brought before the House. As I pointed out, it was at a later stage, due to certain adventitious circumstances, that the policy of the Unionist Party changed. It is, however, unnecessary for me to go into this question at this stage. So far as it lay in my power I accommodated the members of this House, because honourable members will remember that when I tabled a motion that that Bill be taken into consideration immediately, I discovered that there was an inclination on the part of some of the leading members of the Unionist Party that the Bill required further examination. I at once agreed that the Bill might be referred to a select committee, and it was accordingly referred to a select committee. It was later on, as I pointed out, that the state of affairs changed. Now, so far as the present motion is concerned, it is very difficult to take it up for consideration at once; and the leader of the Unionist Party has also recognised it and has moved that it be circulated for eliciting public opinion by the 1st of October, 1933, I have no objection to accepting this motion. I would, however, just make one brief statement, and it is this that it should not be understood that by accepting this motion Government in any way acquiesces in the principles of the Bill or admits that there is any necessity, at any rate, at this stage, of bringing forward a Bill for amending the Municipal Executive Officer Act. With this reservation, Government has no objection to accepting this motion.

Mr. President : The question is—

That the Punjab Municipal Executive Officer (Amendment) Bill be circulated for eliciting public opinion thereon by the 1st of October 1933.

The motion was carried.

PUNJAB MUNICIPAL (AMENDMENT) BILL.

Mr. Muhammad Din Malak : Sir, I do not propose to proceed with my Bill as the official Bill on the subject is coming before the House in a few days' time, and I do not, therefore, think it necessary to proceed with my Bill.

The Council then adjourned till 2 p.m. on Monday, 27th March 1933.

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PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Monday, 27th March 1933.

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

STARRED QUESTIONS AND ANSWERS.

RAI SIKHS OR MAHTAMS OF FEROZEPUR DISTRICT.

***2435. Guru Jaswant Singh :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that a number of Rai Sikhs or Mahtams of the Ferozepur district were exempted from the operation of the Criminal Tribes Act in 1932 ;
- (b) the number of people so exempted, and the conditions on which they have been exempted ;
- (c) whether it is a fact that the people mentioned in (a) above cannot move from one village to another unless they have previously obtained the permission of the police to this end ? If so, why ?

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

(b) The registration of 95 Mahtams has been cancelled subject to their continued good behaviour.

One hundred and four Mahtams have been freed from the restrictions under which their movements were confined to the limits of their villages. This freedom is subject to their reporting themselves twice a month to the officer in charge of the police station within whose jurisdiction they reside.

(c) No.

DES RAJ OF JHANSA.

***2436. Kanwar Mamraj Singh Chohan :** Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that one Des Raj of Jhansa, district Karnal, has been recorded as a suspect of register No. 10 by the local police ;
- (b) whether it is a fact that the said Des Raj pays Rs. 8,000 land revenue in the villages of Jhansa, Rhoti, Majri, Tangor, Salpani, Ajrana Kalan, Kainthal, and others along with his five brothers ;

[K. Mamraj Singh Chohan.]

- (c) whether he is aware of the fact that the firm Bhagat Ram Des Raj of which Des Raj is a proprietor has been paying income-tax to the Government amounting to about one thousand rupees a year ;
- (d) whether any enquiry by the local authorities was made into the character of said Des Raj ;
- (e) whether he was given any opportunity to allege or prove his enmity against the persons who were making statements to the police against him ;
- (f) what reasons and what sort of allegations led the Government to the recording of the name of said Des Raj as suspect ?

The Honourable Sir Henry Craik : Government are not prepared to disclose the names of those recorded as suspects in register No. 10.

Kanwar Mamraj Singh Chohan : Government may not be prepared to answer part (a). But they can answer the other parts where names are not asked for.

The Honourable Sir Henry Craik : The answer given covers all the parts. If I answer the other parts, I assume that the person named is a suspect entered in register No. 10.

GUN LICENCES OF BHAGAT RAM AND DES RAJ OF JHANSA.

***2437. Kanwar Mamraj Singh Chohan :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that Bhagat Ram and Des Raj of Jhansa, district Karnal, held licences for guns in 1932 ;
- (b) whether it is a fact that their licences were cancelled by the local authorities in 1932 ;
- (c) whether it is a fact that both these brothers pay income-tax and also land revenue exceeding Rs. 500 ;
- (d) whether it is a fact that Lala Prabh Dayal, father of these two brothers, was killed in 1925 after his licence of gun was cancelled ;
- (e) what reasons led the Government to cancel the licences of these two persons ;
- (f) what the Government intends to do in the matter ?

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

(b) Government has no information regarding income-tax. They pay land revenue to the extent of Rs. 243-12-0.

(d) No. He was killed on the 15th September 1925 while his licence was still in force.

(e) The licence of Des Raj was not renewed in 1932 as he had failed to purchase any weapon. That of Bhagat Ram was cancelled in 1932 as he used to make over his gun to an unauthorised person.

(f) In view of (e) above Government does not consider it necessary to take any action.

FAMINE TEST WORKS IN HISSAR DISTRICT.

***2438. Lala Jyoti Prasad :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that the Famine Test Work at Pirthala in the Hissar district attracted workers in considerable numbers, and the number of workers was above three thousand when the camp was shifted to Dangra ;
- (b) whether it is a fact that the Famine Test Work at Dangra is also attracting considerable number of workers which is about two thousand ;
- (c) whether it is a fact that the Famine Test Work opened at Chandar Kalan, tahsil and district Hissar, attracted nearly 1,500 workers on the first day of its opening ;
- (d) whether it is a fact that neither the whole of Hissar district nor the *ilaga* surrounding Pirthala, Dangra and Chandar Kalan, has so far been classed as a " Famine District or Sub-division ;"
- (e) if the answer to (a), (b), (c) and (d) be in the affirmative, whether Government intends to ask the Deputy Commissioner, Hissar, to send a report and telegram as prescribed by sections 53 and 60 of the Punjab Famine Code, 1906 (if he has not sent such report and telegram up to this time) ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The attention of the honourable member is invited to the answer given to question No. 2441¹ (starred) in the Legislative Council on 31st March 1938.

BHAKRA DAM PROJECT.

***2439. Lala Jyoti Parasad :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that hundreds of villages in the Karnal district and in the Fatehabad, Hissar and Sirsa tahsils of the Hissar district are under fluctuating assessment ;
- (b) whether it is also a fact that there has been no crop in most of these villages from *kharif* 1925 to *kharif* 1932, and the Government has received a small fixed revenue only for grass and fuel from these villages for the last seven years ;
- (c) whether it is also a fact that most of these villages in the Karnal district and nearly all such villages in the Sirsa, Fatehabad and Hissar tahsils are covered by the Bhakra Dam Project ;
- (d) if the answer to (a), (b) and (c) be in the affirmative, whether Government would take such steps as to expedite the construction of the project mentioned above and thus save itself from yearly loss of large amounts of revenue and the people from the recurring famines ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) There is no regular fluctuating assessment in the Karnal district, but the system is in force in some villages of the Naili circle of the Sirsa and Fatehabad tahsils and Rangoi circle of the Fatehabad tahsil.

¹Page 866 *infra*.

[Hon. Capt. Sir Sikander Hyat Khan.]

(b) No. Fluctuating land revenue has been collected during these years.

(c) Yes.

(d) Does not arise.

UNSTARRED QUESTIONS AND ANSWERS.

CONSOLIDATION OF HOLDINGS.

645. Mr. E. Mayadas : Will the Honourable Minister for Agriculture be pleased to state—

(a) the names of districts in which the work of "consolidation of holdings" was carried on during the last financial year ;

(b) the area consolidated by these districts ;

(c) the expenditure incurred by these districts ?

The Honourable Sardar Sir Jogendra Singh : (a), (b) and (c) A statement giving the required information is attached.

The work of consolidation of holdings was carried on in the following districts during the co-operative year 1931-32.

(a)	(b)	(c)
Name of district.	Area consolidated (acres.)	Expenditure incurred (Rs. in lakhs).
	Acres.	Rs.
1. Gujranwala	4,653	0·11
2. Sialkot	8,366	0·14
3. Lahore	1,771	0·08
4. Ferozepore	6,080	0·09
5. Gurdaspur	7,174	0·15
6. Jullundur	8,483	0·23
7. Ambala	5,805	0·20
8. Ludhiana	5,610	} 0·08
9. Rohtak	1,970	
10. Karnal	1,496	} 0·02
11. Gurgaon	1,017	
12. Hoshiarpur	7,923	0·17
Total	60,348	1·22

EXPORT OF COTTON AND GRAINS TO SINDH.

646. Mr. E. Mayadas : Will the Honourable Member for Revenue please state whether Punjab has been exporting cotton and grains to the province of Sindh during the several past years ? If so, what kinds of grain ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The answer to the first part of the question is in the affirmative. The following kinds of grains were exported :—

- Gram and pulse ;
- Jowar* and *bajra* ;
- Rice in the husk, rice not in the husk ;
- Wheat and other grains.

EXPORT OF COTTON AND GRAINS TO SINDH.

647. Mr. E. Mayadas : Will the Honourable Member for Revenue be pleased to lay a statement on the table showing the amount and value of cotton and other grains exported to the province of Sindh during the year 1931-32 ?

In case actual figures be not available then approximate figures might be given ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The information is not available.

SWEEPER CHRISTIAN COLONY IN LYALLPUR.

648. Mr. E. Mayadas : Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that some Christians working as sweepers live in the town of Lyallpur ;
- (b) if so, their population ;
- (c) the area of the land occupied by the sweeper Christian colony ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I regret that the reply to this question is not yet ready. It will be supplied to the honourable member when ready.

SWEEPER CHRISTIAN COLONY IN LYALLPUR.

649. Mr. E. Mayadas : Will the Honourable Member for Revenue please state—

- (a) when the land occupied by the sweeper Christian colony in the town of Lyallpur was occupied by them ;
- (b) the conditions on which this land was given ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The sites to which the honourable member presumably refers were taken up from 1896 onwards.

(b) No definite conditions were attached. Government is still the owner of the land.

SWEEPER CHRISTIAN COLONY IN LYALLPUR.

650. Mr. E. Mayadas : Will the Honourable Member for Revenue please state whether there are any places of worship standing on the land occupied by the sweeper Christian colony in Lyallpur ; if so, how many ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Two sites, which were allotted for school purposes, are said to be used for purposes of worship on Sundays, but no site was ever allotted for religious purposes.

SWEEPER CHRISTIAN COLONY IN LYALLPUR.

651. Mr. E. Mayadas : Will the Honourable Member for Revenue please state the total number of houses standing on the land occupied by the sweeper Christian colony in the town of Lyallpur ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Seventy-three.

SWEEPER CHRISTIAN COLONY IN LYALLPUR.

652. Mr. E. Mayadas : (i) Will the Honourable Member for Revenue please state whether any statement has been prepared showing the value of the houses standing on the land occupied by the sweeper Christian colony in the town of Lyallpur ?

(ii) If so, will Government be pleased to place a statement on the table ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (i) Government has no information.

(ii) Does not arise.

SWEEPER CHRISTIAN COLONY IN LYALLPUR.

653. Mr. E. Mayadas : Will the Honourable Member for Revenue please state whether it is a fact that the Municipal Committee, Lyallpur, proposes to eject the sweeper Christian colony from the land now occupied by them and, if so, whether it is proposed to compensate them ; if so, in what manner ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : There is such a proposal under contemplation. It is too early to discuss compensation yet.

GRANT-IN-AID TO PRIVATE EDUCATIONAL INSTITUTIONS.

654. Rao Bahadur Captain Rao Balbir Singh : Will the Honourable Minister for Education please state—

(a) what sum is annually spent by Government on aid to private enterprise in education in the province, and how it is distributed, district-wise, community-wise, on population basis or on revenue basis ;

(b) whether it is a fact that the lion's share of the grant-in-aid sum is spent on those districts or towns which are far advanced in education, while the backward areas are not only neglected but also discouraged ;

- (c) if not, why Gurgaon, the most backward district in the Punjab, is getting a negligible aid for secondary education, and why Brayne Ahir High School, Rewari, the only institution of the Ahir agriculturists of the Punjab, and the largest agriculturist community of the district, is not given any aid, although it is being run efficiently for the last eight years ;
- (d) whether the Government know that this indifference to the Ahir High School, Rewari, is breeding great discontent in the Ahir community which has been the most loyal community and the first in the province in contributing the greatest number to the army in the last war in proportion to its population ?

The Honourable Malik Sir Firoz Khan Noon : (a) The honourable member is referred to the printed statement of grants sanctioned for aided Indian schools during 1927-28 to 1931-32, a copy of which has already been supplied to him.

(b) His attention is invited to article 52 of the Punjab Education Code, XI edition, 1932, in which Government policy in the matter is clearly enunciated.

(c) The Brayne Ahir High School, Rewari, is so far only provisionally recognised, and as such it cannot be considered for grant-in-aid.

(d) Does not arise.

SUPPLEMENTARY AND ADDITIONAL GRANTS.

The Honourable Sir Henry Craik (Finance Member) : Sir, I have to announce that the Demands printed on the order paper are being presented on the recommendation of His Excellency the Governor.

EXCISE.

The Honourable Sir Henry Craik : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 64,000 be granted to the Punjab Government (Ministry of Agriculture) to defray the charges that will come in course of payment for the year ending the 31st of March 1933, in respect of Excise.

The motion was carried.

REGISTRATION (TRANSFERRED).

The Honourable Sir Henry Craik : I beg to move—

That a supplementary sum not exceeding Rs. 3,800 be granted to the Punjab Government (Ministry of Local Self-Government) to defray the charges that will come in course of payment for the year ending the 31st of March 1933, in respect of Registration (Transferred).

The motion was carried.

IRRIGATION.

The Honourable Sir Henry Craik : I beg to move—

That a supplementary sum not exceeding Rs. 9,21,380 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.

IRRIGATION ESTABLISHMENT, OPEN CANALS.

The Honourable Sir Henry Craik : I beg to move—

That a supplementary sum not exceeding Rs. 1,10,000 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, Open Canals.

The motion was carried.

IRRIGATION ESTABLISHMENT, SUTLEJ VALLEY PROJECT.

The Honourable Sir Henry Craik : I beg to move—

That a supplementary sum not exceeding Rs. 6,480 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.

ADMINISTRATION OF JUSTICE.

The Honourable Sir Henry Craik : I beg to move—

That an additional sum not exceeding Rs. 35,940 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.

POLICE.

The Honourable Sir Henry Craik : I beg to move—

That a supplementary sum not exceeding Rs. 1,05,700 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 Police.

The motion was carried.

EDUCATION (TRANSFERRED).

The Honourable Sir Henry Craik : I beg to move—

That a supplementary sum not exceeding Rs. 89,900 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.

PUBLIC HEALTH (TRANSFERRED)

The Honourable Sir Henry Craik : I beg to move—

That a supplementary sum not exceeding Rs. 95,220 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 March 1933, in respect of Public Health (Transferred).

The motion was carried.

INDUSTRIES.

The Honourable Sir Henry Craik : I beg to move—

That a supplementary sum not exceeding Rs. 45,747 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.

CAPITAL OUTLAY ON INDUSTRIAL DEVELOPMENT.

The Honourable Sir Henry Craik : I beg to move—

That a supplementary sum not exceeding Rs. 3,406 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 Capital Outlay on Industrial Development.

The motion was carried.

CIVIL WORKS (TRANSFERRED).

The Honourable Sir Henry Craik : I beg to move—

That a supplementary sum not exceeding Rs. 4,80,560 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.

CIVIL WORKS (CAPITAL EXPENDITURE).

The Honourable Sir Henry Craik : I beg to move—

That a supplementary sum not exceeding Rs. 9,39,590 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.

HYDRO-ELECTRIC SCHEME (CAPITAL EXPENDITURE).

The Honourable Sir Henry Craik : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 22,80,700 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 (Capital Expenditure).

The motion was carried.

REFUNDS (RESERVED).

The Honourable Sir Henry Craik : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 1,15,160 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).

The Honourable Sir Henry Craik : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 1,02,080 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 Refunds (Transferred).

The motion was carried.

EXPENDITURE IN ENGLAND.

The Honourable Sir Henry Craik : Sir, I beg to move—

That a supplementary sum not exceeding Rs. 8,400 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 Expenditure in England under the control of the Secretary of State.

The motion was carried.

TOKEN GRANTS.

IRRIGATION (CAPITAL EXPENDITURE).

The Honourable Sir Henry Craik : Sir, 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 1933, in respect of Irrigation (Capital Expenditure).

The motion was carried.

GENERAL ADMINISTRATION (RESERVED).

The Honourable Sir Henry Craik : Sir, 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 1933 in respect of General Administration (Reserved).

The motion was carried.

JAILS AND CONVICT SETTLEMENTS.

The Honourable Sir Henry Craik : Sir, 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 1933, in respect of Jails and Convict Settlements.

The motion was carried.

ELECTION TO THE NORTH-WESTERN RAILWAY ADVISORY COMMITTEE.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) : Sir, I beg to move—

That this Council do proceed to the election, in such manner as may be approved by the Honourable President, of three representatives who may or may not be members of the Council to serve on the North-Western Railway Advisory Committee, representing Agriculture, Trade and Industrial interests, respectively.

The motion was carried.

Mr. President : For electing three representatives to serve on the Railway Advisory Committee, members will please send in nominations for the three different interests, namely, Agriculture, Trade and Industry, to the Council office not later than 6 P.M. on Tuesday, 28th March 1933. Nominations should be in writing and should be signed by not less than two

members, and the nominated candidate should signify his willingness to serve on the committee, if elected. If the number of nominations exceeds the number of vacancies election will be held at 6 p.m. on Thursday, the 30th of March 1933.

THE PUNJAB STAMP (AMENDMENT) BILL.

The Honourable Sir Henry Craik (Finance Member): Sir I introduce the Punjab Stamp (Amendment) Bill.

The Honourable Sir Henry Craik: Sir, I move—

That the Punjab Stamp (Amendment) Bill be taken into consideration at once.

The motion was carried.

Mr. President: The Council will now proceed to consider the clauses of the Bill. Question is—

That clause 2 stand part of the Bill.

The motion was carried.

Mr. President: Question is—

That the preamble stand part of the Bill.

The motion was carried.

Mr. President: Question is—

That clause 1 stand part of the Bill.

The motion was carried.

The Honourable Sir Henry Craik: Sir, I beg to move—

That the Punjab Stamp Amendment Bill be passed.

The object of this Bill is fully explained in the Statement of Objects and Reasons. It is merely to correct a misprint which crept by error into the amending Bill passed in 1922 whereby the word 'instrument' was substituted for the word 'interest.'

Mr. President: The question is—

That the Punjab Stamp Amendment Bill be passed.

The motion was carried.

RESOLUTION.

BHAKRA DAM PROJECT.

Rao Bahadur Chaudhri Chhotu Ram (South-East, Rohtak, Non-Muhammadian, Rural) (*Urdu*): Sir, I beg to move the following resolution—

That this Council recommends to the Government that vigorous attempts should be made to obtain the sanction of the Government of India and the Secretary of State for India for the execution of the Bhakra Dam Project, and actual execution of the project should be taken in hand without any avoidable delay as soon as the requisite sanction has been obtained.

Before proceeding to dwell upon the merits of the resolution or to emphasise the necessity of carrying out the proposal contained therein, I have to thank the Government for their so kindly consenting to the discussion of this resolution on a day reserved for official business. On the list of resolutions that were balloted in accordance with the existing practice this reso-

[R. B. Ch. Chhotu Ram.]

lution stood in the end. So it was not likely that it would have come up for discussion in the ordinary course of events. I, therefore, requested the Honourable Revenue Member to allow this matter of great importance to be discussed on a day reserved for official business. He was kind enough to agree to my request, and that is how I have been able to move this resolution for the consideration of this honourable House.

First of all, I would like to say a few words about the history of the Bhakra Dam Project. The site for constructing a dam in order to reserve the water of the Sutlej for the purpose of irrigation was discovered as early as 25 years ago. The preliminary enquiry about the project was started in 1915. In 1919 the estimates were completed and the preliminary enquiry came to an end. The result of the enquiry was reported to the Government in a bulky volume. It was proposed in this report that the site should be 400 feet high. The area to be irrigated by the project was calculated to be 25 lakhs of acres, and its total expenditure was estimated at Rs. 14,44,74,926.

In view of these facts and figures the Government expected that even those tracts where irrigation facilities did not already exist would be provided with them, and that in future they would be safe from the devastating effects of famines. In January 1919 an assurance was held out by Sir Michael O'Dwyer, the then Lieutenant-Governor of the Punjab, in an open durbar at Rohtak, where a large number of the representatives of the Ambala division assembled, that irrigation projects were under contemplation which when executed would turn the vast jungles of Haryana into *mangal*. But even to-day after 14 years we see those jungles still exist and the promised *mangal* is still far out of sight. In 1922 or 1923 the Government all of a sudden changed its opinion about this scheme for two main reasons : firstly, because it feared that the rock at the site where it was proposed to erect a bund was not sufficiently solid and strong to bear the pressure of water which will accumulate behind the dam, and, secondly, because if that scheme was started it was very doubtful whether the income derived from it would be enough to meet its working expenses and defray the interest charges on the capital expenditure incurred on this scheme. Consequently the Government hesitated to take the scheme in hand. At the same time there was another scheme under contemplation of Government, and that was the Thal Project, which, in the opinion of the Government, would not only bring more income to the province by the auction of crown waste lands but would also add to the prosperity of the people. In 1924 a resolution was moved by me in the House which was accepted by Government with certain modifications. The Government then agreed to take the Bhakra Dam scheme in hand as soon as the construction of the Thal Project had sufficiently advanced to admit of the work on the Bhakra Project being undertaken, provided, of course, the Council sanctioned money for the purpose and the scheme was found sound from the financial and engineering points of view. Consequently in 1925 the Government appointed some geologists to look into this scheme and report as to whether the site chosen for the dam was a practicable one, and whether a bund could be erected there without any risk of water making fissures in the rock and devastating the districts around. The report submitted by these experts was favourable, but they suggested that Government, in order to make assurance doubly sure, should send for a specialist from

America. Thereupon it was decided by Government to send an officer (Mr. Nicholson) to America to study the dams there, and to bring along with him a specialist to report on the possibilities of this scheme. Consequently Mr. Wiley was brought here. He saw the site, examined the rock and reported that it was sufficiently strong to bear the pressure of the water that will accumulate behind the dam, and that there was no danger of its breaking through and harming the districts around. Mr. Wiley further advised the Government to make a dam 500 feet in height instead of a dam 400 feet high. The Government then indicated its willingness to take this scheme in hand. The estimates of expenditure were, therefore, revised and increased to Rs. 28,48,58,484 in 1926. But this increase in expenditure meant a corresponding increase in the area to be irrigated by the scheme. Where originally estimated expenditure amounted to 14 crores of rupees for irrigating 25 lakhs of acres of land the revised estimates of expenditure amounted to 28½ crores of rupees for irrigating 47½ lakhs of acres of land, that is to say, the area to be irrigated by the scheme almost doubled itself and the estimated expenditure increased by about 60 per cent. Another resolution was moved in this House in 1929. While speaking on it the Honourable Mian Sir Fazl-i-Husain remarked as follows :—

Now I am glad to say that the Council has arrived at an agreement, and what is that agreement? It is that the Council as well as the Punjab Government is definitely committed to the Bhakra Dam Scheme, and that the Council, at all events, honourable members to my right—

He was making a reference to the members who were sitting on the right of himself.—

do not wish me to commit the indiscretion of not proceeding with the scheme till the Government of India has given its approval.

I have particularly invited the attention of the House to these lines because it appears that the Government while preparing answers to certain questions asked by the honourable member from Hissar had not cared to take them into consideration. The answers given by the Government indicated that they thought that they were not definitely committed to this scheme.

An objection is often raised, and it is possible that the Honourable Finance Member and the honourable the Chief Engineer may also raise it to-day, that the scheme is unremunerative and that the income that would be derived from it would hardly meet its working expenses and defray the interest on the capital incurred on this scheme. But the Government should not act in a *bania* spirit. Its administration should not be run merely on the principles of shop-keeping. It should not always think in terms of money. The foremost object that a Government should have in view should be the welfare of its subjects. There are many canals in the Central Provinces and Bombay which are unprofitable, and which have been constructed only with a view to promoting the welfare of the people. The Punjab Government have always claimed credit for promoting the welfare of their subjects. But the position taken up by them with regard to the schemes like the one under consideration is irreconcilable with their pious professions. To say that unless a scheme is remunerative it should not be taken in hand even if it may be very conducive to the well-being of the people is against the basic principles of good government. It is the foremost duty of a Govern-

[R. B. Ch. Chhotu Ram.]

ment to look after the welfare of its subjects and to provide them adequate protection. Here I may point out to the Government that in certain parts of the Hissar district famines recur very frequently, and in consequence they have to start famine works, remit a considerable amount of land revenue and grant *taccavi* to the people. To avoid this expenditure the execution of this scheme is essential. I understand that in the Gurgaon district the Government had to forego 42 lakhs of rupees already advanced to the people as *taccavi* loan. If this scheme is taken in hand certain parts of this district will get irrigation facilities and the Government will be saved from spending huge sums of public money on *taccavi*.

The Honourable Sir Henry Craik : That is wrong.

Rao Bahadur Chaudhri Chhotu Ram : So far as I remember the Government granted *taccavi* loans to the people of that district to the extent of 42 lakhs of rupees, and later on they had to forego that amount.

The Honourable Captain Sardar Sir Sikander Hyat Khan : That is correct. But I do not think that any part of the Gurgaon district would benefit by this scheme.

Rao Bahadur Chaudhri Chhotu Ram : There are certain parts of the district which can and will derive benefit from this scheme. Anyhow Hissar is a bigger district than Gurgaon both in area and in population. The former has been very often a prey to famine and drought, and the Government therefore, have to spend a good deal in starting famine works. In the taluqas of Hissar, Sirsa, Fatahbad and Kaithal (Karnal district), the Government have been remitting a very considerable amount of land revenue, granting big sums as *taccavi* to the zamindar and spending a lot of public money in starting famine works. This heavy expenditure can be avoided if the scheme under discussion is executed. Besides in these places the system of fluctuating revenue is in vogue, that is to say, that Government charges land revenue only on matured crops. This system can be replaced by the system of fixed revenue if this scheme is carried out. The income that would be derived from this source would be a permanent one. With the prosperity of the people litigation will increase, the value of their property will increase and, therefore, in consequence of a larger number of cases of sale, mortgage and gift the Government will get more revenue in the form of stamp fees. The excise revenue will also increase for it cannot be denied that with the increasing prosperity of the people, the curse of drinking will also spread. If people become rich their purchasing power will increase. They would purchase foreign goods and Government will realise more revenue in the form of customs duty levied on these goods. The people will begin travelling by railways and consequently the income of the Railway Department will also increase. Trade will flourish and new centres of trade will come into existence. By these means not only the people would gain but the Government would also indirectly get a very large revenue.

I believe it would not be out of place if I quote a few sentences from the report of the Famine Commission. It says—

It has been too much the custom in discussions as to the policy of constructing such works to measure their value by their financial success, considered only with reference to net return to Government on the capital invested on them. The

true value of irrigation works is to be judged very differently. First must be reckoned the direct protection afforded by them in years of drought, by the saving of human life; by the avoidance of revenue remitted and of the outlay incurred in costly measures of relief. But it is not only in years of drought that they are of value. In seasons of average rainfall they are of great service and a great source of wealth, giving certainty to agricultural operations, increasing the outturn per acre of the crops and enabling more valuable descriptions of the crops to be grown.

There was another Famine Commission appointed to look into this matter which reported as follows —

We need no more than to point to the confirmation which our enquiries afford to the conclusions of the last commission and express our cordial approval of new departure in famine policy which will place irrigation works in the place that protective railways have hitherto occupied in the famine insurance programme.

Besides, Mr. Darling in his most valuable book "The Punjab Peasant in Prosperity and in Debt" has recorded—

I remember a year in Hissar when we had less than 4 inches (of rain), and a man could ride for 50 miles and see nothing greener than the poisonous *Akh*. At such a time fodder is so scarce that any bit of scrub that cattle will eat is guarded as jealously as if it were a valuable crop of sugarcane. Every tree is lopped to the bark, and there is no more desolating sight than the long road-side avenues raising flayed, twisted arms to a bare and pitiless sky. After a bad famine there are villages where not a cow, buffalo or calf is to be seen. In 1869 three lakhs cattle perished in the single district of Hissar, and a few years later Rohtak lost 37 per cent. of its stock. An ox sold for a piece of bread and a camel for a farthing. Nor does famine come only once or twice in a generation. A generation ago Rohtak had three in a decade.

Then again, in 1902, Mr. Field, Chief Engineer, wrote as follows :—

The condition of Hissar and Sirsa, and portions of Rohtak and Karnal, has long been a cause of great anxiety. The continual failure of the rains and the short supply in the Western Jumna Canal have resulted in a chronic state of famine and distress. The provincial Government have for some time been exercised as to the means by which this state of things can be remedied. the prosperity of the famine-stricken areas would be assured or at any rate the worst evils of famine be avoided. Such a scheme would require very careful examination, and there is no doubt whatever the cost would be extremely heavy. But even so, the protection of the tracts above-mentioned from recurring famines would be worth almost any sum that the scheme is likely to cost.

Then again, Mr. Fanshawe made remarks more or less to the same effect. I will just read an extract from his remarks :—

When the famine with its dreadful realities is with us we all feel that we would allow nothing to stand in our way in effecting anything reasonably practical in the above direction, but as soon as famine is over and its cost is once booked financial considerations and departmental ideas reassert their stern sway.

These were the opinions expressed by gentlemen whose knowledge of the south-eastern districts could not be questioned, and who possessed kind hearts full of feelings for mankind. I wonder why Government ignores the welfare of the people and is guided by the sole consideration of making profits. I am really sorry to observe that our Government has in fact become a *bania* government. I am sure no government can efficiently work on *bania* principles. God never intended governments to be always calculating, for in that case there would be very little difference between a *bania's* shop and a government administration. I hope that Government will realise the force of my argument.

There is yet another point to which I wish to draw the attention of the Government in this connection. The lands in this part of the province are very fertile. They have been lying in the main fallow for many centuries past and their

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productive power has suffered none of the deterioration which results from continued cultivation. To prove that these lands are really very fertile I need only quote the figures received by the Government itself regarding the yield at the Government farm of Sirsa. I understand that the maximum yield of cotton from one acre of land at this farm was about 40 maunds, and that the average yield per acre of the same crop came to about 27 maunds. Now these figures clearly show that it will be extremely profitable to arrange to irrigate this part of the province. And it will be really a matter for both sorrow and surprise if such a fertile tract of land is not made use of simply for want of water for the welfare and prosperity of mankind particularly when nearly all those obstacles which at first stood in the way of undertaking the Bhakra Dam Project have disappeared. After the joint meeting of the engineers of the Punjab and the Bombay Governments who considered the question in detail, it is now a settled fact that by the starting of this project no harm will come to Sukkur Barrage Scheme. These engineers reported after full consideration that even after water had been taken from the Sutlej river for this project there would yet be sufficient water available for the Sukkur Barrage Scheme. As far as I remember this report was submitted to the Government on 15th December 1930. So far as our own Government was concerned the matter had been finally decided on the 26th February 1929, and when the obstacle created by the objection of the Bombay Government to the scheme had been removed the Government could have easily proceeded with the further stage of the project. But I am sorry to observe that during these four years the Government has done nothing in connection with the project. As far as I know it has not been able to complete even the detailed estimates so far. All that it has been doing during all these years is to get those rough figures of estimates examined and revised which were originally prepared by a particular officer. It has not even thought it proper to employ on this work continuously an officer well acquainted with all the aspects of the scheme, who took special interest in it, and who would have worked out all the details by this time. In short very little zeal has been shown for completing even the preliminary stage of this project.

I understand that there is another difficulty which has cropped up in the way of the execution of the Bhakra Dam Project, and that is that the Raja of Bilaspur State is not prepared to agree to accept land in any part of the British territory in lieu of the land which will come under this project. I should think that it is not a new difficulty, and that it must have been present even at the time when the Punjab Government negotiated with the Raja at some period between 1915 and 1919. I am further inclined to think that during these four or five years when the Government was negotiating with the Raja some sort of settlement must have been arrived at, and the Raja must have been brought round to waive that objection. At least this is what the people outside think. But even if for the sake of argument it is admitted that the Raja of Bilaspur did not give his consent originally, and has not made up his mind up to this time, I am not prepared to believe that he is not amenable to reason, and that even if he is made to understand what advantages will accrue to him and his people, he will still

remain adamant and will not realise the benefits to himself and his State if this project is executed.

While on this point I may as well remind the Government that the people of Rohtak and Hissar districts, for whose benefit this project is to be started, are very poor. On account of their poverty labour in these districts is very cheap. The famine works in Hissar prove that at present you can get any number of stout and stalwart men for 5 pice a day, any number of women for 4 pice and children in any number for 3 pice a day. I may also inform the Government that the relief works, which it was compelled to start in this district only recently, will not be able to absorb even a fraction of the cheap labour which is clamouring for work when the season has changed, and when many of them will be able to stir out of their huts. During winter many families having had only one blanket to cover each of them were not able to come to the works because all the members were not wanted on the works and none could be left behind. But now they will swarm in great numbers on these works, and this is why I have said that these works will not suffice to provide work for all of them. These are the conditions in which these people live, and if for their sake even if the Government has to go out of its way to persuade those who oppose this project, it will be justified in doing so. I may repeat for the twentieth time that under these circumstances it will not be in keeping with the dignity of such a powerful Government to think in terms of money. With these words I commend this resolution for the acceptance of the House. I hope and trust that the Government as well as private members will accept this resolution cheerfully and unhesitatingly.

Mr. President : Resolution moved—

That this Council recommends to the Government that vigorous attempts should be made to obtain the sanction of the Government of India and the Secretary of State for India for the execution of the Bhakra Dam Project, and actual execution of the project should be taken in hand without any avoidable delay as soon as the requisite sanction has been obtained.

Mr. R. P. Hadow (Chief Engineer, Irrigation): Sir, I rise at this early stage in this debate because it seems to me that it would be useful to the House if I put facts and figures before them. I do not propose to enter into any controversy, and I shall only give facts and figures, although I may come under the scorn of the honourable mover for descending from adjectives to facts. I would like to make it very clear before I start that the figures I give are only approximate. They are based on the best information we have, but a more detailed examination of the scheme may show them to be incorrect. As the honourable mover has explained, the object of the scheme, as far as the Punjab is concerned, is to give canal irrigation to the un-irrigated tracts of Hissar and Rohtak districts. I do not think I need say any more on that point as the honourable mover has detailed the state of affairs there. The first attempt to achieve this object was by means of what was called the Sarda-Kichha-Jumna Feeder, that is to say, to bring water from the Sarda river in the United Provinces across into the Jumna and then, by extensions of the Western Jumna Canal, into the Hissar and Rohtak districts. The proposal fell through because the Sarda river was eventually taken up as a source of irrigation by the United Provinces, and, as everybody knows, since then they have constructed the Sarda Canal.

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So, that source of supply has gone. The next proposal was to find some means of storing the water in the Jumna river itself. A site for a dam was found at Koeh, but on further investigation it was found to be unsuitable and even unsafe from a technical point of view, and so the attempts to find water moved on to the Sutlej river. The site of the proposed dam on the Sutlej is in a gorge just before the Sutlej river enters the Punjab. On the right bank is the Kangra district, and most of the lake or reservoir impounded by the dam would be in Bilaspur State. The lake itself would be about 40 miles long. The original proposal, as the honourable mover has said, was to make a dam about 360 feet high above the bed level of the river bed, but Mr. Wiley, the American expert, suggested that it could safely be raised to 460 feet on the site at which the dam would be placed. It is now proposed to increase the height to 545 feet. That extra height is advisable for the following reasons. It will practically impound all the flood waters of the Sutlej river, and it will be possible to carry over a surplus from one year to another. Again, the higher the dam the cheaper is the cost per unit impounded because certain factors are constant whatever the height of the dam may be. This increased height of the dam will also enable us to form a silt reserve. As everyone in the Punjab knows, one of the great difficulties in the canals is silt, and that difficulty will occur in the water impounded in a dam, because the silt will drop and the tendency will be for the lake or reservoir to fill up. The extra height now proposed will allow a reserve which can be used to contain the silt, and it is calculated that this reserve will not be filled with silt, for some 100 years. But that period is merely an estimate, and I personally refuse to believe that if time does come when, by reason of silting, the water of the reservoir is running short, human ingenuity will not find a way to keep that encroachment on the reservoir within reasonable bounds. This impounded water will be let down the river past the head-works of the Sirhind Canal at Rupar to Aliwal which is about 15 miles below Phillour. Here a canal would take out and run practically in a southerly direction cutting across the branches of the Sirhind Canal. It would take up the irrigation so cut off and extend into the districts of Ferozepore and Hissar and into the states of Faridkot and Bikaner. The Sirhind Canal so relieved of some of its irrigation would be extended again in the southerly direction into the Karnal and Hissar districts and possibly into Bikaner, and it will also cut off from the Western Jumna Canal the Sirsa Branch and the irrigation on this Branch. The Western Jumna Canal so relieved will then be extended in a southerly direction into the Rohtak and Delhi districts and the Jind State. The result of this would be something as follows: The irrigation intensities of the British branches of the Sirhind Canal and its extensions will be increased from 56 per cent. to 64 per cent. I want the House to understand clearly what I mean here. These are not theoretical percentages, they are based on what is actually done on these canals. Every one knows that the Lower Chenab Canal, for instance, was designed to irrigate 75 per cent. of its culturable area, and actually does something under 100 per cent. The figures I am quoting are comparable with hundred per cent., that is to say, the increase from 56 per cent., which is the actual existing intensity, to 64 per cent. is what it will do, and not a paper figure to be probably exceeded. The intensity of the

State branches of Sirhind Canal will increase from 39 per cent. to 54 per cent. The intensity on the Western Jumna Canal will increase from an average of 37 per cent. to about 40 per cent. Honourable members will notice that all these figures are considerably lower than what is achieved on the canal colonies.

Now, Sir, as to costs. The project with the 460 feet high dam was estimated in 1928 to cost about 25 crores. Since then rates have fallen and the dam has increased in height, but by omitting the lining of some of the channels the estimate has been reduced to 22½ crores though the dam is 85 feet higher. Of this the share of the Punjab would be about 12 crores. The return on this capital expenditure will at the existing water rates, be something more than the interest on the capital sum expended. Honourable members will observe I am rather cautious in what I say, but it should be something more than the interest payable. This is based on an average water rate of Rs. 4-8-0 per acre and land revenue on new areas only at Rs. 1-8-0 per acre. That compares with the present average water rate on the Western Jumna Canal of 4-61 per acre and on the Sirhind Canal of 4-34. If the water rates are reduced, what will be the return then? I put aside as impossible some of the proposals which we have heard in this Council of a fifty per cent. reduction of *abiana*. I think that no sane person really believes that it could be done, and I take instead a figure of a reduction of 25 per cent., partly because I think that will meet the "substantial" reduction mentioned by my honourable friend from Sargodha and partly because a 25 per cent. reduction is such as would reduce the revenue from the existing canals to a figure where they would just pay their way and no more. There would be no profit from them, and the result of that would be that the Bhakra Dam Project would have to stand on its own legs. It would receive no support from the other Irrigation Receipts. If the rates for this project are reduced by 25 per cent. it will also barely pay its way; it would just about cover its interest charges and, when I say that I mean, of course, its revenue less working expenses.

I might correct the figures which were given by the honourable mover about the areas to be irrigated annually. I am not quite sure which figures he was dealing with. The total new area in the Punjab to be irrigated annually is 18,70,000 acres and in the States it is 16,20,000 acres, totalling very nearly 35 lakhs acres annually. I may mention there are no crown waste lands which would be sufficient to affect the project either from colonization point of view or from the revenue point of view. It will possibly interest the House if I give the figures of the expenditure which has been put into this project up to date. Twelve lakhs have been spent on the survey which is being done by the Government of India and this expenditure, because of financial stringency has been reduced from about 5 to 3½ lakhs a year. It will take about 5 years more to complete the survey at this rate, but of course it could be quickened if there were more funds. The preparation of the project has cost 4½ lakhs, that is to say, our total expenditure is about 16½ lakhs. I will now come to the estimate of the cost required to complete the project. The surveys will cost about 13 lakhs more in British Territory and 4 lakhs in the States—17 lakhs in all; the other work of preparation will cost about 4½ lakhs and the soil survey about 3½ lakhs totalling 25 lakhs; on the whole, totalling past and future, the

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cost of the preparation of the project will cost about 41 lakhs. Now, Sir, if I may add two words about the work of the preparation of the project, I think the honourable member from Rohtak stated in his speech during the general discussion of the budget that the first essential was to have an "accurate estimate." I do not know if he meant that quite literally, but I would like to use it as a peg to hang my remarks on. The first essential is to find what area can be irrigated, that is to say, the survey of the tract and the soil survey. Soil survey follows the other survey, and could actually start now, as there is enough of the surface survey done to allow the soil survey to be started. It should be done in three years possibly. From the example quoted by the honourable mover of the wonderful results shown at the Government Agricultural Farm, honourable members may think it scarcely necessary to have a soil survey, but it is I think not only a wise measure, but it is in fact essential. I think we were extraordinarily lucky in the Punjab that we started off on a series of big colonization projects in the order of areas where the land is possibly the best. On the Lower Bari Doab it was discovered later that there were certain lands not really worth irrigating. We have found that also on the Burala extension and we have now so examined the areas under the Haveli Project. If any one wants really a good example of the desirability of a soil survey I would refer him to the case of Bahawalpur where the actual area of land found fit for irrigation is now 31 lakhs of acres whereas it was originally estimated by the State as being 45 lakhs. There is another reason for a soil survey. We not only want to know whether the land will grow crops, but we want to know whether it will grow high class crops. You cannot finance a canal, for instance, on gram cultivation alone; it must be capable of growing better crops such as cotton, sugarcane and wheat, from which a return may be expected. These surveys are the first essential, and they show what can be irrigated. The next essential is to find out what will be irrigated: that is to say, a decision as to the areas to be irrigated. Even with the maximum height of this dam the water is not plentiful, as I have already shown in the percentage of irrigated areas. It is most important that the areas and intensities should be fixed before the work of preparation of the estimate is taken in hand. If it were a project in the Punjab alone, there would be one Government only to decide what areas should be cultivated and what intensities they should receive, but in this case we have no less than 6 Indian States besides the Punjab Government, namely, Patiala, Faridkot, Nabha, Jind, Malerkotla and Bikaner. Last November under the orders of Government I met the representatives of these States in an informal discussion to discover what the views of the different States were on the project, and as one might have expected we differed more than we agreed. But at least we know to some extent now what the views of these representatives were, and it now remains to dovetail all these various views and to try and reach some agreement between these six States and the Punjab; and that is a very big hurdle to get over.

Then again, there is the agreement with certain States as regards the Sirhind Canal. If this project is undertaken, that agreement has to be revised and a new agreement made; and until the other partners in the Sirhind Canal agree to revising that agreement it will be very difficult to pursue the project.

Then, after one has decided what is to be irrigated, there comes the examination of a large number of alternatives to ascertain their comparative costs and how far they affect the efficiency of the project. For instance, one could do away with the new canal from Aliwal of which I spoke and simply enlarge the existing Sirhind Canal. It is all a question of cost. Then there is an alternative alignment from Kirathpur, which is above Rupar, down to Patiala striking direct across country. As far as we know at present it is not a promising alignment, but it would be very unwise to dismiss it on a mere paper examination. It needs a considerable amount of examination, in the field. And last of all, there is the examination of whether any of this impounded water should be used on the Sutlej Valley project in times of scarcity. All these alternatives have their repercussions on practically every figure in the project and the task of undertaking those examinations is not a light one.

Lastly, one has to consider what one will do with this water. In an ordinary canal one is very largely governed by what one may expect in an average year in the river in the cold weather for the *rabi* season. Here we have water impounded in a reservoir. It can be let out in any quantity and at any time of the year. When can it be used to the best profit of the people who are going to irrigate from it? Of that we have had no experience as yet in the Punjab and it opens up again many alternatives.

I mentioned when I began that the figures I am giving were only approximate, and I will use only one illustration to show my meaning. We have been speaking of a dam 545 feet high above the level of the river bed. I believe there is as yet no dam in the world as high as that, though there is one dam under construction in America which will eventually be higher. We therefore in India have no experience of such work. There are of course some of the biggest dams in the world in the Deccan, but they are big more from their length coupled with their height than they are in their height alone; in fact, I do not think any of them exceed the height of 200 feet. It would consequently be necessary to bring into the examination of this work, which alone is estimated to cost seven crores of rupees, the best advice we can get in the world, both from the point of view of safety and from the view of economy in construction and from the view of employing the latest methods of construction. Members will therefore understand that an estimate which contains a rather vague estimate of seven crores cannot be called anything like an accurate estimate. The honourable mover referred to the question of the Bombay objections to the withdrawal of water from the Sutlej river on account of the supply to their canals. The canals in question are not the Sukkur canals; they are those which are below the Sukkur canals; they are inundation canals and therefore are more affected by the level of the water in the river than they are by the actual amount of the withdrawal. The question was examined, and we are still awaiting the Bombay approval to the views put forward in the report. I cannot say yet what those views may be, but as far as matters stand at present we must hope for the best.

I hope, Sir, that I have given all the figures which will enable honourable members to get a rough idea of the project, but if I have omitted any, perhaps, Sir, you will permit me to give them if they are asked for.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): Sir, I rise to support the resolution under discussion. The district of Hissar is well known to be a famine land. It is of course difficult to describe the condition of the people there in a few words. In the famines which have occurred in recent years and the famine which is now raging in that district, the condition of the people can be better imagined than described. In 1900 when there was a famine in the Ambala division, some 1,248,000 cattle died in all the districts of the Ambala division—at that time the Delhi division—and in Hissar district alone 448,000 cattle died.

The Honourable Captain Sardar Sir Sikander Hyat Khan: May I point out, Sir, that the honourable member is merely repeating what the honourable mover said with regard to this matter.

Chaudhri Allah Dad Khan: Sir, I have not had the benefit of hearing the honourable mover's speech, but I will not repeat what he has said.

In order to relieve the distress of these districts several officers have been considering the question, and it has been engaging the attention of Government from 1896. In 1915 Government appointed an official to investigate the way in which water can be made available to the people of the Hissar district and also parts of Rohtak and Karnal districts, and this Bhakra Dam Project is a result of the labours of that gentleman who submitted a report in 1919 stating that if this project is brought into operation, a very huge area lying waste now in these districts and subject to famines and droughts from year to year would be brought under cultivation. The estimate which he made was about to irrigate 15 lakhs of acres of land in these districts. If this calculation of his is right, it will produce flourishing conditions where there is famine and drought from year to year and a very large number of human beings would be saved the troubles and privations to which they are now subjected. Government acting upon his advice moved in the matter, but it has moved very slowly. As long ago as 1929, the Revenue Member—the predecessor of the present Honourable Revenue Member— informed the Council in the words which are perhaps fresh in the minds of some of the honourable members of this House. He said—

This Council as well as the Government are committed to the Bhakra Dam Project:

Now there is absolutely no doubt that the Government are committed to this project, and there is no getting away from it, but even by some excuse or other it was possible to get away from it, I think Government should not make any attempt to get away from it, for where a question of relief is concerned no amount of sacrifices for the grant of it should stand in the way. My honourable friend the member from Rohtak said that Government while introducing a measure of relief for human beings should not think of rupees, annas and pies, and I think he is not alone in so thinking. One of the commissioners of this division who was a famine commissioner in 1884 made the following remark which is published in the Famine Report which was issued at that time:—

When the famine with its dreadful realities is with us we all feel that we would allow nothing to stand in our way in effecting anything reasonably practical in the above direction, but as soon as famine is over and its cost is once booked financial considerations and departmental ideas reassert their stern sway.

He further goes on to say—

It would indeed be a great mistake to test the value of irrigation works on their direct revenue alone. It should be considered rather whether any particular tract is liable to frequent or serious droughts, and whether in the event of famine the population is such that a large outlay would be necessary for its relief and a large loss of revenue would be incurred.

These are the very words, and they surely support the idea that Government should not base the value of the relief works on the revenue which is likely to accrue. (*Interruption*). If this passage has already been quoted, then I do not see its effect upon the Government members. Just now the Chief Engineer said that in considering such proposals the idea of return can never be lost sight of. That is, at any rate, what I understood him to say. The quotation I have read is the expression of opinion of a man who had practical experience of administration, who had perhaps much greater experience than the Chief Engineer. I think this opinion carries much greater weight than any other opinion which may be expressed by the honourable official members of this House, who have seen very little of the famine conditions of the district. That opinion was expressed long ago, about fifty years ago, and still the same idea, the same sordid idea of return on outlay is being repeated in these enlightened days. It does not come with good grace from the representative of Government in this House to say that Government should always have an eye on the return on outlay invested.

Mr. R. P. Hadow : I never said anything of that sort.

Chaudhri Allah Dad Khan : I am very glad to hear that, and I am also glad to see a change in the mentality, in the attitude which is observable today. This is the first occasion so far as I can remember that in this Council the idea of return is not uppermost in the minds of the Government members. It is indeed a welcome change. I hope, if this attitude continues, we will very quickly see the execution of this huge scheme which will involve, of course, a very large expenditure. I am afraid, however, that there is still in the minds of the Government members the idea that no scheme should be launched with great enthusiasm which does not promise a good return on the money spent.

The other difficulties which the Chief Engineer pointed out I could not follow because he spoke so low that I could not hear him, and I believe many of the other honourable members too might not have heard him properly.

Mr. President : The honourable member could have requested him to speak a little louder.

Chaudhri Allah Dad Khan : I did not mean to blame him. I only expressed my difficulty in hearing him. He pointed out some difficulty which was in the way of the scheme. If I understood him aright, he said that the States have first to be brought to the idea of giving their consent to the scheme. He mentioned a number of States. I submit that if the Government really desires to proceed with the scheme, all difficulties can easily be surmounted, the States can be made to give their consent. For instance, what great effort did the Government make in the case of the Hydro-Electric Scheme? The consent of the States was given even without being asked for. (*An honourable member : No.*) At any rate it was given for the mere asking; and if the Government only cares it can easily obtain the consent of the State in the present case also. Therefore, the excuse which the

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Chief Engineer offered is a lame one. I am not prepared to admit that the States are in the way of launching the scheme. I am sure other honourable members also agree with me when I say that Government can surely make the States agree to the scheme without any effort. After all, the scheme is going to benefit the States subjects also. Perhaps there may be some difficulty to the States in the way of financing the scheme. But the States can find money somehow. The various ways in which they can find money are well-known. How did the Bahawalpur State find the money? The Government came to its help. Similarly, in this case also the Government can go to the help of the States. Therefore, if the Government really cares, there is absolutely no reason why the States cannot easily be made parties to the scheme. Therefore, this objection should not weigh with the Government.

Mr. President : How many times will the honourable member repeat this point?

Chaudhri Allah Dad Khan : I will now pass on to my next point. A resolution on this subject was passed in 1929. The honourable members of this House are entitled to ask, why Government have been sleeping over it for the past four years? Only indifferent surveys seem to have been undertaken up to this time. The resolution wanted that Government should make vigorous and earnest efforts to obtain the sanction of the Government of India and of the Secretary of State to this scheme. Has the Government made earnest and vigorous efforts? If so, the Chief Engineer has not enlightened us as to what earnest and vigorous efforts were made by the Punjab Government. I am therefore led to conclude that no efforts have been made. I ask, why has the Government not moved in the matter? I am inclined to think, again, even at the risk of repetition, I will say, that the Government is obsessed with the idea of return. It is very strange indeed that Government should be influenced by considerations of return on outlay. That can be the only excuse for the slackness on the part of Government. The Revenue Member who is the head of the department is a zamindar himself, and it is surprising that he has not moved fast enough. Observe how the Honourable Minister for Local Self-Government moved fast in the matter of the Hydro-Electric Scheme, getting more money than was provided for in the budget, and spending more money than was provided in the estimate. The Honourable Revenue Member is a non-official member of Government. (*An honourable member :* No, he is an official). No. He is a non-official member; he does not belong to the services, and he himself admits that he is a non-official member of Government. He should therefore have put in as vigorous efforts as he could in order to give the scheme a practical shape. Why has he lagged behind the Honourable Minister for Local Self-Government and the Honourable Minister for Agriculture who have pushed through the Mandi Hydro-Electric Scheme? These two Ministers have in a very short time brought to fruition the electric scheme, and they do not appear to have encountered any great difficulties up to this time. (*Interruption*). If this is a white elephant, why not decide the question once for all? Why should the Government be holding hopes for the people, for a large section of them, who would have resorted to other means to ameliorate their condition, such as by sinking wells, or migrating to other colonies, and so on? The resolution on this subject having once been passed by the Council, both the Government

and the House are committed to it and they cannot recede from it at this stage. If I criticise the Honourable Revenue Member it is not in a carping spirit. My only desire is to make him more enthusiastic about this scheme. I want him to imitate the example of the other Honourable Ministers who have pushed through the Hydro-Electric Scheme.

I hope to hear from the Honourable Revenue Member a statement explaining the great difficulties in the way of obtaining the sanction of the Government of India and the Secretary of State up to this time. This was the preliminary step to be taken at the time when the resolution was passed by this Council. The Revenue Member has been in office ever since 1929 or 1930, and he seems to have done nothing in the matter. Four precious years have been wasted. I hope that at least in the future he will take vigorous measures to push through the scheme.

I would have quoted several authorities in connection with this resolution, but as I was not here at the time when it was moved, I think it is possible that the Leader of my Party might have quoted them already. However, I may say that the remarks of these authorities show clearly that now that the Government has got a concrete and definite scheme in its hand it should follow the advice of those illustrious Englishmen who built the empire and strengthened it, and brought order out of chaos and disorder. If the present officials who are the successors of those illustrious builders of the empire evince the same sympathy towards the people of the province, there will be no danger to them even if there be 101 agitations against Government. It is only when they lack that sympathy that there is this danger. If they take a leaf out of the book of those illustrious predecessors who always, all the twenty-four hours had the good of the people at heart, the province will be contented and happy. With these words I support the resolution.

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur, West, Muhammadan, Rural), (*Urdu*): Sir, the matter under discussion deserves the most considerate attention of all sections of this honourable House. This is not a trifling affair that may be dismissed without any deliberate thought, but it is a scheme which would cost this province the huge sum of 22 or 23 crores of rupees. Every one of us will feel the burden of this expenditure and every rate-payer of the province will groan under the weight of the extra expenditure that will have to be incurred in respect of this scheme. So I would urge upon the honourable members that they should not take this matter lightly and should not vote on it without giving due attention which this resolution deserves. (*Hear, hear*).

The difficulties of the zamindars of the *ilaga* which is going to benefit by this scheme are many. The honourable member from Rohtak has, time and again, invited the attention of this House in general and the Government in particular to their multifarious miseries by moving resolutions and asking questions, and we all sympathise with them. But what we have to consider is this that by proceeding to relieve them from their difficulty we may not unconsciously burden the general tax-payers with an unbearable weight of liabilities. So I would suggest that before embarking upon the construction of this work the Government should ascertain whether it is going to be a paying concern or not. If it may be expected that the projected canals will be able to yield at least as much profit as accrues from the Lower Jhelum

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and Upper Chenab Canals, then they should not hesitate in beginning the work of its construction. But, if, on the other hand, there may be no promise of profit from this scheme they should never think of embarking upon this project. As far as I have been able to understand the speech of the Chief Engineer, he has said that the projected canal would be able to yield some profit if *abiana* on it is levied at the same rate as is levied upon the zamindars on the other canals. If his conjecture is correct then the Government may start the work of building the new canal. I am sure that if the rate of *abiana* is lowered on the projected canal it will not be able to meet its own expenditure. So a very difficult financial situation will arise, and it will not be easy to cope with it. Another suggestion I want to make is this that the people on the projected canal should be asked whether they would be willing to pay the same rate of *abiana* which is levied on the other canals of the province, and if they express their willingness to pay the same rate of *abiana* as is being paid by the zamindars of the other canals then the Government should not hesitate to begin the work of the construction of the proposed canal.

Pir Akbar Ali : Why should the Government not ask the same question from the zamindars of other canals ?

Khan Bahadur Mian Muhammad Hayat Qureshi : But zamindars on the other canals are not incurring any loss. They have a sure profit. I think if the zamindars of those *ilagas* express their willingness to pay the same rate of *abiana* as is being paid by all the zamindars of *nehri ilagas* they will not lose anything thereby. Their advantages will be considerably greater than their liabilities. Moreover, the estimate of 22 crores of rupees is too excessive an estimate. We all know that nowadays labour and material are cheaper than in the previous years, and I think that the work will be carried out at much lower cost than is estimated by the Government. I would, once more, point out that if any profit is ensured by the construction of the projected canal I have no objection to its being constructed.

The Honourable Sir Henry Craik (Finance Member) : I am

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glad to have an opportunity of addressing the House on this extremely important question, because it seems to me there is still a very large measure of misapprehension as to the scope and difficulties of this project. The issues involved, as my honourable friend, the member from Shalpur, said, are of enormous gravity. Indeed there is something ironical in the fact that the House is devoting but one afternoon to discussing a project which may cost more than double the total annual expenditure involved in the budget to which we have devoted 11 days. Sir, my honourable friend from Rohtak has stated his case with a moderation and an eloquence which cannot fail to make an appeal to this House. It certainly made a great appeal to myself. He has re-inforced his case with the very weighty observations of, I think, two Famine Commissions and such great authorities as Mr. Darling, and he has quoted with effect, as indeed he is perfectly entitled to do, the pronouncement of Sir Fazl-i-Husain as Revenue Member of this Government, when in very precise terms he accepted a resolution to the effect that " Government should make every effort to approach the Government of India for sanction to the execution of the Bhakra Dam Project and that its construction should be taken

in hand without any avoidable delay." If I seem to be taking a view opposed to that of the honourable mover, it is because I wish to put before the House the fact that in the four years that have elapsed since that statement was made on behalf of Government the practical difficulties inherent in the execution of this project have loomed larger and larger, and, secondly, because a stage has now come when it is necessary for those who are trustees for the general tax-payers of this province to decide—not of course as regards the immediate execution of this project, but whether they are justified in continuing the heavy annual expenditure that has been incurred during each of the last 4 or 5 years on preliminary work such as survey for a project the ultimate execution of which, as I hope to explain to the House, depends on many factors which are of an extremely doubtful character, and which, to be quite plain, is a project which may never bring any return at all. Now, the honourable member from Rohtak has, as I have said, pleaded in a very moving way for the people of his own district and the neighbouring districts, and with that plea I have every sympathy. I know that life in those tracts is peculiarly precarious, and the people there are always exposed to the risk of famine and scarcity, and that it would be of immense benefit to them and indeed to the province generally if they could be given a far greater measure of protection by irrigation works than they enjoy at present. The honourable member indeed went a little further than that and urged that Government should proceed with the scheme even if it is unremunerative, a plea that was repeated at some length by a subsequent speaker. That really amounts to this, that the general tax-payer of the province is to incur a very heavy debt, which *ex hypothesi* will be an unproductive debt, for the benefit of one small part of the province. But to a certain extent, in spite of that consideration, I agree with the honourable member. I agree that if it could be shown that this expenditure would be in the nature of an insurance against famine, which of course causes the general tax-payer large sums of money when it does occur, then, I would say, we would be entitled to go ahead with it even if the return is so small as to be almost negligible. But I am doubtful if one can draw that conclusion. The honourable member himself gave us some figures, I think, of the remission of *taccavi* loans in those districts. He mentioned Gurgaon, which is really not quite to the point because Gurgaon does not come in the scheme. But I will make him a present of some figures which I have collected within the short time available on a rather more important point, namely, the amount of land revenue in the two districts of Hissar and Rohtak, which are the districts particularly concerned, which has had to be remitted since the year 1899 when there was the worst famine within living memory. Altogether in those two districts Government had had to remit 57 lakhs of rupees of which rather over 30 lakhs were remitted in the three famine years between 1899 and 1902. There has been of course an additional and large amount of indirect expenditure on famine works and fodder concessions, in the form of remissions of *taccavi* and possibly in other directions, but unfortunately I have no figures of the expenditure of this nature to lay before the House. If one were satisfied that this project at a reasonable cost could insure the province against a repetition of these burdens, then we would be justified in going ahead with it. But the question is whether it would do so. Even if it would do so, it is not a scheme that has at present attained a stage sufficiently out and

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dried, sufficiently practical to justify us in approaching the Government of India for sanction. Mr. Hadow has explained what the scheme is, but I am not sure if even now a majority of members of this House really grasp what this scheme is intended to do. Broadly speaking, it is a scheme to dam the waters of the Sutlej in a valley in the hills and to use these impounded waters to irrigate an area of about $8\frac{1}{2}$ million acres, that is the area under the latest scheme, of which more than half is situated in Indian States, that is to say, not in the Punjab at all. As Mr. Hadow has explained, there are 6 States concerned, Bikaner, Patiala, Jind, Faridkot, Nabha and Malerkotla, and the total area to be irrigated in these States will be 16 lakhs of acres of which more than half will be in Bikaner State. Now, Sir, there are innumerable matters within the project regarding the distribution of the water between these states themselves in regard to which there is every possibility, every prospect of internal disagreement. I am not speaking at the moment of the question whether the States would come into the scheme, I am referring to the point whether the States will agree as to the share of irrigation which it is proposed to give to each State. When I say that Bikaner is to get more than half of the total, I think honourable members will realise what odds are against any general agreement on that point. That is one difficulty and a very serious difficulty, because until we get the States to agree among themselves there is no hope that they will agree to come in and to share the cost not only of the construction stage but also the preliminary expenditure on surveys and other operations that are now going on. I think all members will agree as to that. Over and above the possibility of disagreement among the States themselves, there must also be agreement between the States—each individual State separately and the whole collection of States jointly—and the Punjab Government. That agreement must be not a mere paper agreement, but it must be an agreement that will ensure the very closest and most harmonious co-operation in the working of the project. That is a point of very great importance, because the project involves our taking over and running as certainly one of the main lines of this canal, if not the principal line, a channel which is actually the property of a certain State, of which the State is the sole owner and on which the State is the sole distributor of water and the sole recipient of *abiana*. The project involves, as I say, our taking over that channel and running it as our principal canal, and any operation of that sort would be impossible if it is not done with the closest co-operation between the State and ourselves. Of such co-operation and agreement we have hitherto received no satisfactory guarantee.

The honourable member from Rohtak dismissed the difficulties of securing agreement with the States almost without a word. The honourable member from Ambala dismissed them with the airy assertion that it is perfectly easy to secure the States' agreement without any compulsion. Of course, as usual he knows far more than I do (*laughter*), but I can assure him that on this point he is for once very much mistaken. It is very far from easy to secure this agreement, and I feel a very grave doubt whether we shall ever secure their agreement at all. The project from the point of view of the States is by no means one that is attractive financially, and if the rates of *abiana* are not comparatively high it will not pay them at all. If

they think that one State is getting more than its due share of irrigation it is certain they will not come into the project at all.

I now turn to Bilaspur within whose limits the dam is to be constructed. I wonder how many honourable members here realize what the difficult problems involved by that dam are. As regards the engineering difficulties of constructing a dam, it will be, as Mr. Hadow has explained, the highest in the world, but apart from the technical difficulties, such as the risk that the lake may be continually silting up, there is the fact that the lake behind will cover an area of, at a very lowest estimate, 20,000 acres. If we build the higher dam, it will cover an area, I think I am right in saying, of over 40,000 acres. On that area a certain number of people are living, a population of about 10,000 souls. What the cultivated area is I cannot say exactly, but it is somewhere about 10,000 acres, the rest of the land being grazing ground or forest or uncultivated. The area actually includes nearly the whole of the town of Bilaspur, the capital of Bilaspur State. Now, would honourable members pause for a moment and reflect what that means? Here we are proposing to construct a dam which would mean that the capital of this State in the hills is to be buried under miles of water. Ten thousand people, at the very lowest estimate and probably far more, are to be rendered homeless, and the whole of their lands are to be covered under a huge sheet of water. I should like the honourable member from Ambala to say how this is to be done. This State is ruled by a young ruler who has just attained his majority, and who has just been instaled on the *Gaddi*. Are we to ask him to sell his people and his capital for any sum of rupees which any Government could afford to give? Put yourselves in his position. The young ruler has just ascended his throne and we say "We want your capital, we want you to turn out 10,000 or 20,000 of your people, what will you take for it?" What can he take? Is there any inducement any member can imagine that will persuade him to consent to that? But suppose he did and suppose we were to offer him terms so tempting that he could not refuse, what is to happen to the people? They are hill people, they would not take land in the Nili Bar, they could not live there. Our experience has shown that when we were attempting to get colonists from the hills to take up land in our Punjab colonies, they would not take it. A few did take it, but they did not stay there. We have no land in the hills that we could offer them. What is the solution of that problem? I must confess that it beats me entirely.

There is another respect in which this project entirely differs from our other great canal projects. Suppose we get over these difficulties, that we construct the dam and begin irrigation, having secured the consent and co-operation of all the six States. In every one of the great Punjab colony schemes, beginning with the Lower Chenab, passing on to the Lower Jhelum, the Lower Bari Doab and the Nili Bar schemes, there have been enormous areas of crown waste lands which have been used, broadly speaking, to relieve congestion in the older settled districts. By this every or almost every district in the province and every class in the province has directly benefited. Honourable members know that in Lyallpur, Montgomery and the Lower Jhelum colonies and in the Nili Bar you meet representatives from every single district in the Punjab with the exception perhaps of the hill districts. In this scheme there is not, so far as I know, one single acre of

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crown waste. The scheme is entirely for the benefit of people who own lands in the districts of Hissar, Rohtak and to a less extent in Karnal and Ferozepore. There will be no colonists from other districts because there would be no areas available for colonization. The land is already proprietary. That is a point of the very gravest difference between this scheme and all our former schemes. I do not for a moment say that this is conclusive or that it should be the reason why we should not try to carry out this scheme, but it is a point which ought to be known to the House and which I do not think has hitherto been appreciated by the House. It means that the general tax-payer who is asked to pay for this scheme is to pay for the benefit of two or three districts in one corner of the province. The general tax-payer will not benefit at all directly. He will of course, as I have said—I want to be perfectly fair—be benefited indirectly by the fact that he will be relieved of the charges hitherto thrown upon him in times of scarcity, but direct benefit there will be none.

Now, Sir, if I may revert to the difficulty of the States, Mr. Hadow has told us that we had called a preliminary conference to which the States concerned sent representatives to discuss, not their willingness to participate in the project as a whole because the project is not yet definite enough for us to approach them in that way, but to discuss much smaller problem whether they are willing to share in the preliminary costs which have been incurred already or will have to be incurred in the near future.

The survey alone, as Mr. Hadow has stated, will cost in all 17 lakhs of rupees. Other preliminary work on the project will cost 4 lakhs. It is obviously unfair that the Punjab which will be only a partner to the extent of one-half in the scheme should bear the whole of that expenditure. We wished to find out whether the States are willing to bear their share. The State's representatives were by no means unanimous and in one or two cases there was a certain amount of hesitation or what very nearly amounted to a flat refusal.

I would like to say a word or two about Sir Fazl-i-Husain's acceptance of the resolution of 1929 and his statement that Government and the Council were committed to the scheme. I am not denying that the language used was perfectly precise and definite. But I think it was understood that two premises were assumed. One was that the scheme was to be remunerative or at any rate not so unremunerative as to impose a burden in perpetuity on the provincial finances, and the second was that the consent of all partners to the project must be obtained before we were in a position to approach the Government of India with a complete project. That I think is a consideration that must have been present in the mind of Sir Fazl-i-Husain when he spoke and I think it must have been understood by his audience. The honourable member knew perfectly well that there was no chance of Government of India or the Secretary of State sanctioning a project if these two conditions were not fulfilled, and as my honourable colleague reminds me it is of course impossible to proceed with the preparation of the detailed project estimate until the general sanction of higher authority has been obtained. That is, unless the States join with us we cannot proceed with the scheme. The consent of the States is necessary before we could approach the higher

authority. That is all the more necessary because we have recently had experience of a great irrigation work, undertaken in partnership with an Indian State and that experience has been not altogether fortunate. I would like the honourable members to reflect on what might be the position of the finances of the Punjab if the Government of India had not stepped in and taken over our position as creditor of Bahawalpur State. That is a very serious consideration. The debt of the Bahawalpur State to the Government of India is now at a figure which would be quite beyond the financial resources of the Punjab Government to assume. If the Government of India had not stepped in and taken our place as creditors, we would have been bankrupts many years ago. I would like the honourable members to reflect whether after that experience and standing as they are now as creditors to the extent of 10 or 11 crores of rupees, whether the Government of India are likely to step into our shoes again. I hardly think so. This is a burden which we have to face alone. There will be no Government of India behind us in this scheme.

I ask the House to reflect with great care over these very serious considerations before they commit us to proceed with the scheme. A point has been reached when as guardian of the provincial finances, as trustee of the tax-payer in general, I feel that the time has come to call a halt and take careful stock of our position. We have spent already twelve lakhs of rupees in the survey of this area. There is no guarantee that we shall get a penny of it back from any State or from anywhere else. We have spent 4½ lakhs on other things connected with the preparation of the project. During each of the last two or three years we have provided a sum of somewhere between 5 lakhs and 8½ lakhs to be spent on this survey. We doubt if we ought to go on with it, and whether we are not throwing our money in going on with this survey. An immediate necessity is to obtain definite and quite reliable and binding assurances from the States that they want us to go on with this project and that they will pay a proportionate share. We have no such assurance at present. Their attitude is completely non-committal, but until we know that they are prepared to come in to share the cost not only of the execution of the project but of the preliminary expenses and until we have got round the difficulty about securing a site of the dam, which I have explained to the House, I do not think that we are entitled to go on spending the tax-payer's money in the way in which we have done in the last few years.

Sir, we have been attacked for regarding this scheme from the point of view of the *bania*. *Bania ka hakumat* was the expression used by one speaker. That may be euphemism for what I should prefer to call prudent finance. The Punjab has just recently completed two enormous capital projects—the Sutlej Valley and the Hydro-Electric. Those projects have been criticised both by the public and in this House as being wasteful and unremunerative. They may be both, but if I am not very much mistaken they are both sounder projects financially than the one now under discussion. It is hardly fair to attack us for the *bania* outlook in refusing to be enthusiastic over a far bigger and more expensive project like this where we may be spending crores of our tax-payers' money for the benefit of people who are not tax-payers at all and who are not even residents of the Punjab. It is ungenerous to criticise us for that sort of attitude and at the same time to

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blame us for undertaking much smaller schemes which have at any rate a fair prospect of turning out remunerative business propositions.

Finally, Sir, I would like the House to consider this question in relation to the forthcoming constitutional changes. We have now come through and on the whole come well through a period of unexampled economic depression. I should not perhaps say that we have come through, but at least we are now beginning to emerge from a period which has shaken every province in India and every country in the world, and as I have stated in my speeches on the budget, we have come through much better than most. We are still solvent, our head is still above water and our credit is still high. But we have in that process and during the period when we were building these two great projects of which I have spoken—the Sutlej Valley and the Hydro-Electric, piled up a somewhat formidable load of debt. Our present debt, the whole of which or practically the whole of which is productive, stands at just over 35 crores of rupees and our annual interest charges are a crore and 68 lakhs. That is a pretty formidable total ; it is more than three times our total annual income. I think we should pause before we commit ourselves to another great capital scheme which will nearly double the load of our debt. Are we justified, we who are running the administration for the moment but who know that we are shortly to lay down the reins of office, are we justified in starting on such a scheme within a very short time before the end comes to our responsibilities ? Are we justified in handing over a great burden like this to our successors ? Even if we were justified in doing that, can any honourable member seriously imagine that a Government entirely responsible to a popular electorate will consider themselves bound by any pledge which we may give ? I am quite sure that they will not, and I am in grave doubt whether we are justified in giving now a pledge to go on with this project—a pledge which will not fall to our hands to carry out but which will embarrass our successors by imposing on the new government a choice between disappointing the hopes of many people, or in the alternative of assuming an obligation to start the execution of the costly and huge scheme, the difficulties of which I have attempted to put before this House.

Mr. Tek Chand (North-East Towns, Non-Muhammdan, Urban) : Sir, I have deeply reflected over the brilliant contribution made by the Honourable Finance Member to the debate of this afternoon. To sum up his difficulties, they may be placed categorically under three heads, namely, difficulties as regards revenue, difficulties as regards negotiations with the various States and special difficulties in relation to the Bilaspur State. A very pathetic picture of the Bilaspur ruler was painted by the Honourable Member who showed that the whole of its capital would be wiped out if this project was to be undertaken. May I ask the Honourable Member whether these considerations were not before him when a sum of 12 lakhs was spent ? We are told that the negotiations with the various States such as Bikaner, Patiala, Nabha, Jind and Faridkot were not likely to fructify. May I again ask the Honourable Member whether the Government has been devoting some time and consideration to the subject during all these twenty-five years when this question has been agitating the public and particularly so, during the last four years ? If so, why did the Government waste all this

money when they knew or at least ought to have known that negotiations with the various States were not going to bear fruit? May I suggest that if it was not possible to take a channel through the various States because the princes of those States would not agree to the terms offered by the Government, it could have changed the course of the channel and taken it through Ambala and other places in British India. If that too was impossible, why did not the Government give up the project altogether? The Honourable Member has claimed himself to be the trustee of the general tax-payer. May I ask him in all earnestness, why is it that he allowed these 12 lakhs of the general tax-payer to be wasted? He could have foreseen the enormity and the impossibility of the scheme and could have avoided this waste.

The other difficulty that has been raised by the honourable members on the Government side is that the scheme will be unremunerative. If it is such a huge scheme that it will be unremunerative, then why did the Government spend a large sum of 12 lakhs on the preliminaries? If it is possible for Government to raise loans, I daresay it is in these days when the rate of interest is between 3 and 3½ per cent. that the Government can easily raise the required loan for the project. This is just the time when the scheme should be started. If all these difficulties are insurmountable, then it is time to give up the scheme. The tax-payers' money should no longer be wasted.

Another objection was raised by the honourable member that it was improper that the general tax-payer should incur the burden of an extensive scheme when only a small part of the province was going to be benefitted by it. I say that this sort of objection will hold good for all schemes. Take for instance, the Mandi Hydro-Electric Scheme. The general tax-payer has contributed towards the capital invested on this scheme, whereas only a fraction of the province is going to be benefitted by it. Why, then, did the Government incur this expenditure? If these considerations are to prevail, then, it will become impossible to develop any scheme.

There is another observation I should like to make. I agree, so far as the spirit is concerned, with the honourable the mover of the resolution. He made one allegation against the Government that it was a *bania* Government. I consider the word *bania* complimentary and I wish that that epithet had not been used with reference to this Government. Why? Because a *bania* knows how to spend his money and a *jat* or a *zamindar* does not. (*Hear, hear.*) My grouse against the Government is that it does not behave like a true *bania*. It should know where to spend money and it should not open its purse strings gaping wide when no money should be spent. I am referring at this moment to the various ways in which the money of the tax-payer is being wasted.—I lay special emphasis on the word 'wasted'—as for example when it goes into the coffers of high salaried officers or when it is enjoyed by the large number of police that we have in this province. This is exactly how a *zamindar* would waste his money. That is why I say that this Government is a *zamindar* Government and not a *bania* Government.

There is one trite saying that I would like to commend to the honourable members of Government and that is, "Where there is a will there is a way." If the Government is really in earnest in seeing that this scheme should succeed, then, it is high time that it should get to work. Otherwise

[Mr. Tek Chand.]

it should give up the project altogether. My request to the 'trustee of the general tax-payer' is that he should discharge his trust properly and the best way in which he can do that, after the facts that we have been told, is by giving up the scheme altogether. If they are not going to do this, then it is high time that the Government should chalk out a scheme which can be brought into operation without any further delay.

Khan Bahadur Captain Malik Muzaffar Khan (Mianwali, Muhammadan, Rural) (Urdu): Sir, I have full sympathy with the honourable the leader of our party who has moved the resolution now before the House. But I am sorry I cannot see my way to support it. You are aware that the matter under consideration is a very serious one, for it involves an expense of a very huge sum of public money. It is our plain duty that we should put our heads together and decide whether or not we should saddle the province with fresh liabilities. It is easy to talk of 23 crores of rupees but to spend such a big sum in these days of acute depression would worsen the situation all the more. The scheme requires for its execution 23 crores of rupees the interest on which would amount to one crore of rupees per annum. According to a Persian proverb—

مترس از بلا که شب در میان است

(laughter). It would not be a wise policy to ruin ourselves in the hope of getting some material benefit afterwards. While considering the budget you have tried to cut down even the small items of expenditure saying that in view of the general depression we cannot afford to incur unnecessary expenditure. I therefore wonder how you have thought it fit to press for a scheme which involves an expenditure of 23 crores of rupees. If you can obtain this sum without interest, you are welcome to take this scheme in hand. But if you cannot obtain it without interest, you would naturally burden the whole province with this expenditure which would be inadvisable. My district is the poorest district in the province, and the Government in order to ameliorate the condition of the zamindars of the district cannot afford to construct a canal which involves an expenditure of a few lakhs of rupees. Besides the Honourable the Finance Member has remarked that we have to settle with certain States before we can take this scheme in hand. There is one State, I believe it is Bilaspur, where the bund will be erected. There the erection of this bund will do more harm than good to the people. To benefit certain people at the cost of others is most objectionable. I do not think that the Government of India would be so unwise as to gladly agree to incur so much expenditure. If this burden is going to fall on this province, goodness knows what will happen. I have a great regard for the leader of our party but I cannot see my way to support the resolution moved by him. I would rather ask him not press his resolution. Let it remain under consideration (laughter) till the financial position of the province improves and we are in a position to spend 23 crores of rupees on this scheme. With these words I resume my seat.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) (Urdu): Sir, when I looked at the agenda of to-day and found that this resolution was coming up before the Council, I thought that every section of the House including the Government would whole-heartedly welcome it.

Even after the speech of the honourable the Chief Engineer who described at length the difficulties, technical and otherwise, that stood in the way of the execution of this scheme, I and others were not disappointed. But the speech of the Honourable the Finance Member came as a surprise to us all and it frustrated all our hopes. We were shocked to learn when he said that it would be better if this project was altogether given up. If that was to be the end of this project, it would have been much better if it had not been taken in hand at all and if no money had been spent on it as my honourable friend from Ambala, who has recently joined the Council, said in his speech. I admit that you must make an enquiry and spend something on that enquiry before it can be known whether it is useful or not to start a work. But what I mean to bring home to the Government is that it did not become a prominent member like the Honourable Finance Member to have said, after continuing to extend hopes to the people of the Hissar and Rohtak districts for 10 or 15 years that, it would be better to give up this scheme now. I should think that the Honourable Member was to-day in an extremely pessimistic mood and it is very unfortunate that this resolution was brought up at a time when he was not very favourably inclined towards it. Otherwise I am sure that he is as solicitous of the welfare of these people as we are and he cannot have forgotten that it is that part of the country which supplied the greatest number of recruits during the Great War and which will continue to supply such recruits in so large numbers even when self-government is established. The war services of these people are too splendid to require any mention. I remember that Sir Michael O'Dwyer was so much pleased with these people for their meritorious services that he openly acknowledged these services and promised to them that as a reward for their services the Bhakra Dam Project would be executed as soon as possible. And now to say, after giving all these hopes and after making such promises that this project is not worth undertaking, appears ridiculous on the face of it.

As I have said, the speech of the honourable the Chief Engineer was not disappointing. He very ably put before the House all the facts and figures relating to this project and told us very clearly what it would cost and what would be the income from it. He also explained the difficulties and obstacles which must be got over before this project could be taken in hand. He has done his part well in explaining all these things to us, but we would have been more glad if the officer who first started this work and who made the preliminary enquiries had been here to explain his views to us in regard to this project. He would have been in a more favourable position to explain the position of the Government regarding this scheme. However, we are prepared to believe that there are certain real difficulties which beset this scheme and I may as well say that we are not at all determined to push this scheme in an unbusinesslike manner. We will not compel the Government to undertake this scheme if we are convinced that there are certain obstacles which are insurmountable. But as the Chief Engineer himself said this scheme will not altogether prove a losing concern. He further said that if *abiana* were charged at the present rates this scheme, which would cost about 22 crores, was expected to bring some revenue, however small to the province. But even if it is admitted that there will be no gain from this scheme and that there will be a little loss in the beginning to the Government, the Government should not hesitate to make this small sacrifice for the people of these dis-

[K. B. Sardar Habib Ullah.]

districts who, as I have explained, richly deserve its help. Let the Government make full enquiries and also make sure that the loss to it will not be huge if this scheme is executed. We do not at all wish that it should leap in the dark. We are prepared to wait for sometime more till the difficulties explained have been got over and the States who have to join this scheme have been persuaded, of course, by the force of arguments, to join the scheme. The Government can meet the representatives of these States and if it is sure of the righteousness of the cause as it appears to be, it can very well convince them of the reasonableness of its views. I do not think that if after they have been told that their lands will also be colonised and that this scheme, when completed will add to the prosperity of their States, they will not fall in with the proposal. But this work should be done in right earnest. Such meetings should take place from day to day and unless final decision is arrived at there should be no cessation of these labours. Then again, Sir, it will not do to appoint one officer for one year and then next year the work should be entrusted to a fresh hand as has been done in the past.

The Chief Engineer was pleased to say during the course of his speech that the dam that is proposed to be constructed in connection with this scheme is the first of its kind throughout the world and that the Government has no experience about such dams before. I admit that it is true, but may I ask him whether the Punjab Government had any experience before about the hydro-electric scheme which in the face of opposition has now been completed? If the Government has no faith in its own engineers and if it has any doubts about the possibilities of this scheme, we will not grudge if it sends for some experts from America or England who would be in a position to advise whether it would be worth while to spend this huge amount on this scheme. By adopting this course it will be decided once for all whether this scheme is to be executed or not. And I think that the money spent on requisitioning the services of an expert from America or England will be well spent. If it is decided that the scheme is not to be executed the people of these districts will not remain in suspense and will know their fate earlier than they would know otherwise. But if it is decided that it is useful to undertake the scheme the Government will be in a position to commence the work at once. Anyway it will be well if the final decision is taken very soon.

I have been told that this project if completed will go to feed some other canals in the province and thus will help to increase the water-supply in them. I cannot say what those canals are—

The Honourable Captain Sardar Sir Sikander Hyat Khan : Sirhind canal is one of those which will take some supply of water from this project if completed.

Khan Bahadur Sardar Habib Ullah : If that is so, I think the Government should think twice before rejecting this project as useless and not advantageous. It should appoint some permanent officer to undertake this work and should not mince matters as before. Mr. Nicholson who was first appointed and entrusted with this work was, as I know it from personal experience, very enthusiastic about this scheme. If he had been allowed to remain in charge of this work up to this time I am sure the position would have been quite different. If I may say so, most of us and nearly the whole

of the public did not know before this day what the Government had been doing with regard to this scheme. This is not the way in which such schemes should be undertaken. But for this resolution which has clarified the position we may not have known even hereafter what the Government was doing. If the Government is earnest and if the Government does want to assure the public of its *bona fides* it should at least let the public know by publishing pamphlets what things have so far been done and what is still left to be done. Before I close my remarks I will again ask the Government that if it is really in earnest about this scheme, it should expedite the decision whether this scheme is to be executed or not even if it may have to sit from day to day to arrive at that decision. With these words I very strongly support the resolution moved by the honourable member for Rohtak.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) (Urdu): Sir, after listening to the speech of the honourable member for Lahore, who has just sat down, I cannot help remarking that the speech of the Honourable Member for Finance has been grossly distorted. My Honourable colleague never said, as the honourable member has tried to make out, that Government was not prepared to proceed with the project because it was not likely to bring in an appreciable return, and that Government intended to abandon it for this reason. All that he did was to explain to the House the financial difficulties, just as the honourable the Chief Engineer tried to explain in some detail the technical difficulties, and other aspects of the scheme. I did not think that it would be necessary for me to contribute to this debate after the very lucid and clear exposition of the position by my two colleagues. But since there still seems to be considerable misunderstanding with regard to Government's attitude towards this project, I consider it necessary to make the position clear beyond doubt, although it would involve a certain amount of repetition on my part, in order to vindicate the position of Government as also of my two colleagues who have preceded me. As I have already said, the Honourable Member for Finance never meant to convey that Government was opposed to the scheme on the ground that it would not bring in large financial profits. On the contrary, Government would be only too glad to proceed with this project not only because of its sympathy for the people of these districts, which are unfortunately agriculturally insecure, but also for the reason that it would relieve Government of the almost perpetual anxiety concerning this part of the province and of periodical expenditure on test-works and famine relief, which absorb considerable sums almost every year. I would go even a step further and say that Government would be prepared to proceed with the scheme even if it barely pays its way, as it would be well worth doing so both on humanitarian and administrative grounds. But it is not only the financial difficulties we have to consider. As the honourable the Chief Engineer explained, there are other obstacles which must be surmounted before we can proceed further with the scheme. Unless these difficulties can be overcome we will be no nearer the construction stage than we are at present. This is what both the Honourable Member for Finance and the honourable the Chief Engineer tried to impress on the House; and I do not see how anyone can reasonably take objection to their speeches which were meant to put the House in possession of the facts and to explain to them the numerous difficulties with which we are faced.

[The Hon. Capt. Sardar Sir Sikander Hyat Khan.]

I do not see how any fair-minded person can accuse Government of being indifferent to the wishes of this House. Ever since my predecessor, Sir Fazl-i-Husain, gave an undertaking—when accepting the resolution on this subject four years ago—we have been steadily working at the scheme by instituting necessary enquiries and making necessary surveys of the areas concerned and of the site of the dam. That it has been setting apart a definite sum every year for this purpose, in spite of the grave financial stringency, is in itself a sufficient answer to those critics who may be inclined to question the *bona fides* of Government in this matter. In the circumstances, I am surprised at the attitude of some of the members who have spoken to-day. I must confess that I was expecting a unanimous approval and appreciation of the House for apprising them of the exact position and placing before them the facts and figures which we have been able to collect, and not the unreasonable criticism which constituted the main theme of one or two speeches made by the honourable members opposite. Our main object in taking the House into confidence and placing the position frankly and unreservedly before them is to ascertain the views of the members who represent the people of the province and whose advice on this important and complex problem Government would greatly value. I consider it my duty to explain to them on behalf of Government the difficulties and implications of this huge scheme. It would be unfair to the province if Government were to commit the future administration to a scheme of this magnitude which would, according to the present estimates, involve an expenditure of over 22 crores of rupees, without consulting the elected representatives of the people. So far as I am personally concerned, I would not hesitate to proceed with the project even if it were to barely pay its way if thereby we could save the people of Hissar and Rohtak districts from the constant threat of scarcity and famine. As I have already said, the financial implications of the scheme are by no means the only consideration or even the main consideration which stands in the way of our proceeding further with the project. There are other difficulties of even more serious nature which have to be overcome before we can hope to make further progress. Some of these have already been explained by the Honourable Member for Finance and the Chief Engineer. But there are others which it would not be advisable for me to disclose at this stage when negotiations with the Indian States are still proceeding. I may, however, cite one instance, which will give an idea of the difficulties which we have to contend with. During the course of the informal conference with the representatives of the six States which are interested in the scheme it was asserted on behalf of one of them that it would be prepared to participate in the scheme only if a return of not less than 7 per cent. could be assured on the capital expenditure contributed by this particular State. Now, so far as we are concerned, I have already made it clear that I would not hesitate to proceed with the project even if a much smaller return is expected. But I am sure that no sane person would advise us to undertake this project if it involved imposing a permanent liability on the revenues of this province merely for the sake of guaranteeing a 7 per cent. dividend to one of the prospective co-partners. Again, the difficulties regarding the acquisition of the site of the dam and the lake, it seems, are not fully appreciated, or else some of the speakers would not have minimised them.

to the extent they have done. I hope you will excuse me if I digress at this stage in order to meet the criticism of the honourable member for Ambala who has recently joined us. He accused Government of wasting 16½ lakhs of rupees on surveys. I am afraid that he has not studied this problem and his speech clearly indicated that he is ignorant of even the elementary details of the scheme. In the circumstances, his criticism could not but be misinformed based as it was on imperfect knowledge of facts. If he had taken a little trouble to acquaint himself with the facts before taking part in the discussion he would have perhaps refrained from speaking. But since he has thought fit to take part in the debate I should like him to know that no project of any importance can be prepared without the necessary preliminary enquiries which include a survey of the areas involved. On a big scheme like this the expenditure so far incurred is by no means unreasonable. He is also perhaps unaware that Government has been instituting these enquiries in deference to the express wishes of this House (*hear, hear*). This is one of the reasons why we wish to consult the Council again in the matter. Government will be glad of the views of the representatives of the people as to whether we should continue to spend money on survey work before a satisfactory agreement has been negotiated with the Indian States. Personally, I am in favour of postponing this expenditure until the question of site and participation of the Indian States concerned is definitely settled. But I will be prepared to give very careful consideration to the views expressed by the members of this House. The honourable members will, no doubt, when making a choice, keep in view the almost insurmountable obstacles which stand in the way of the completion of the scheme. To give you a further idea of these difficulties with regard to the acquisition of the site of the dam and the lake I might mention that the *ex-Raja* of Bilaspur some years ago refused to accept a monetary compensation for the land which will come under the dam and the lake. It will be of interest to the House to know that according to the original scheme which involved the building of a dam of 360 feet only, no less than 134 villages would be affected. The area which will be required under the revised scheme will be considerably greater as it is proposed to raise the dam to a height of nearly 500 feet, and even the capital of the State will be submerged. Now if the Bilaspur State still refuses to accept cash compensation, the only other alternative would be to give them land in exchange. There is perhaps some land under forests contiguous to the Bilaspur boundary which could be given in exchange; but this will be unsuitable for the purpose of settling down people whose lands will be submerged under water. It may be possible to find sufficient area for the purpose in the Nili Bar Colony; but here again we are faced with innumerable difficulties regarding jurisdiction and sovereign rights. And even if we are successful in getting over these difficulties I do not see how we are going to persuade the people accustomed to the hill climate of Bilaspur to accept an exchange in the comparatively inhospitable and dry tract of Nili Bar.

Shaikh Muhammad Sadiq : How much of the land of these 134 villages is agricultural land ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : According to the figures which I have got for the original scheme, i.e., the one involving the erection of a dam of 360 feet only, the total area involved is

[The Hon. Capt. Sardar Sir Sikander Hyat Khan.]

about 20,000 acres, out of which 5,000 acres are cultivated and about 2,000 acres are pasture land. The rest of the area is under forests or is unculturable. Under the revised scheme, as I have already said, a much bigger area would be involved. The number of villages affected will increase correspondingly. The present ruler of Bilaspur has only recently been invested with ruling powers. I think he was installed in December last. If it is decided to continue negotiations we will take steps to approach him as soon as it may be possible. But supposing we succeed in persuading His Highness the Raja of Bilaspur to accept a substantial cash compensation would that solve our difficulties? I do not think so, as it will still be necessary to provide land for the people who will be rendered homeless. They cannot be accommodated within the Bilaspur State as there is not sufficient land within the State for the purpose.

These are some of the difficulties with which we have to contend. It is for the House to give their considered views on this important matter and to advise us whether they would like Government to commit itself to this enormous expenditure until we are satisfied that there are reasonable prospects of settlement of these important outstanding questions. Sir, the honourable member for Amritsar is not listening to my speech. Perhaps he is under the impression that if we commit ourselves to this project it will not affect him in any way. Let me assure him, Sir, that not only he but the whole of the province will have to bear interest on the capital cost, as the money will have to be borrowed if it is eventually decided to proceed with the construction of the dam and other connected works. We have not decided to abandon the scheme. As I have already explained, our object is merely to explain our difficulties and to impress on the House that it would not be advisable to spend further money on the scheme unless there are reasonable prospects of these difficulties being satisfactorily surmounted. If after careful consideration of all these facts the House advises that we should proceed further Government will give the fullest possible weight and consideration to their views. I may also point out that the States are likely to find considerable difficulty in coming to an agreement with regard to the distribution of water among the various partners. Unless all the partners can agree among themselves and with the Punjab Government I do not see how it could be possible for us to bring this scheme to a successful conclusion. Moreover, so far as the present scheme is concerned, it is absolutely essential for its success that the co-sharers of the Sirhind Canal should agree to participate on suitable terms.

Then, Sir, we have still to secure the approval of the Bombay Government to the report and proposals of the Committee of the two superintending engineers which was set up to look into the question of supplies in the river. Unless the Bombay Government accepts the conclusions of this Committee the prospects of its success would become even more doubtful.

There is one other point which was raised by the honourable member for Lahore and to which I should like to reply. He mentioned that it was not necessary to consult experts, and that when a scheme like the Hydro-Electric Project could be initiated and completed without expert assistance and advice it should be equally possible to dispense with such advice in the

case of this project also. In the first place, he is not correct in saying that the Hydro-Electric Scheme was initiated and constructed without the help of experts. He was a member of the committee appointed by this House some time ago to examine the Hydro-Electric Scheme and should have known that the project as well as the site on the Uhl river were carefully 'vetted' and examined by several experts before the work of construction was started. In this case also expert advice was necessary as regards the selection of site; and if we decide to proceed with the project it may be necessary to obtain further advice from experts on the various aspects of the scheme as also the design of the dam and other structural work. But at the same time I should like to point out to him that it is not right to compare this project with the Hydro-Electric Scheme. The latter, if there is a stoppage or breakage of machinery, can only affect the lighting of the towns and suspension of industrial activities for a brief period. But if, God forbid, anything happens to the dam, which will be about 500 feet high, the result would be disastrous as a number of towns and villages might conceivably be completely washed away if the pent up waters of this huge lake suddenly debouch on to the country below. I remember a serious disaster happened in the Hyderabad State some 26 years ago as a result of the breaching of one of the series of small dams built for the purpose of storing water and practically half the Hyderabad city was washed away. It is, therefore, not difficult to visualize the damage which might result from the bursting of a dam of the size contemplated in the Bhakra Dam Project.

Before I conclude, Sir, let me make it quite clear that Government do not propose to abandon the scheme so long as there is a reasonable possibility of securing consent and co-operation of the various States concerned. If the House after hearing the speeches from these benches is still of the view that we should continue negotiations with the States we will do so. It is, as I have already said, extremely important to get the question of site settled before we can proceed further, and I am sure the House will agree with me that it will be inadvisable to spend further money on surveys until this question is satisfactorily settled. It would be a sheer waste to spend ten lakhs of rupees on surveys if we eventually find that there is no reasonable prospect of arranging a satisfactory agreement with Bilaspur regarding the site. This is my advice to the House and I am tendering it not only as a Member of Government in charge of the Department which is responsible for the preparation of this project but also as a citizen of this province. If the honourable mover does not wish to press the motion and will leave the matter to me this is the advice which I propose to tender to Government.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural) (*Urdu*): Sir, we neither call the Government a *bania* Government nor a *Jat* Government. A *bania* does all work from a business point of view and the only object that he keeps before himself is that of gain. The zamindar does all work for the sake of others. He grows crops and without any idea of profit or loss. We want the Government neither to be a *bania* Government nor a *Jat* Government. We want that our Government may treat all their subjects like their children. They should treat people as parents treat their children. *Hissar* is a poor district. The people of that district are subjected to various kinds of troubles. The consequences that arise from the straitened circumstances of that district are not only limited to it but they also affect all the neighbour-

[Pir Akbar Ali.]

ing districts. The people as well as cattle of this district are very nice. In India cow is considered to be a sacred animal. Hissar is well-known for good breed of cows. It is, therefore, a sacred duty of ours to do all that we can to save the cattle from being ruined by famine. The people are very hardy and good soldiers. The cattle are very sturdy and are supplied from here to all the zamindars of the country. The people of this district are poor. The Government should see that they are made prosperous and should take steps to achieve this end. The children and grown up men in this district come from miles around to earn five pice a day each to the relief works started by the Government. This very fact shows how poor they are. If the Government had any sympathy with these poor people they would never have said that by constructing the Bhakra Dam they would be burdening the whole province and that they would not be able to get any profit on the money invested on it. If the Government made it a principle never to start any work which is not expected to yield any return then, I think it would never undertake any work of public utility. We do not want lip sympathy. We want that the Government may do something practical in order to show their sympathy. You have enjoined upon me, Sir, that I should be very brief in my observations, therefore, I cannot discuss this matter in detail.

Mr. President : No, no, the honourable member may have his say.

Pir Akbar Ali : Then, Sir, the honourable members feared that perhaps the scheme might prove a failure and in that case 22 crores of rupees—really a very large sum—would be wasted. On the one side you undertook the Hydro-Electric Scheme for the luxury of the people—for working fans and having electric lights—and on the other you refuse to undertake a scheme which is so necessary and without which so many people are ruined and so many cattle are destroyed. In view of the troubles of this district it is necessary that this scheme should be taken in hand as soon as possible.

The Government has allowed the honourable mover to bring this resolution before the Council to-day as a special case. By so doing they on the one hand wanted to oblige the honourable the mover and on the other to give a decisive answer as to what they wanted to do with regard to this question of building the Bhakra Dam. They wanted to kill two birds with a single stone. In reality the Government wanted to bring it home to the honourable members that the undertaking of this scheme was difficult as well as expensive and consequently that it should be abandoned. The district of Hissar from the point of view of the existence of thorough-bred cattle there is very very important and also the soil of this district is very fertile. The yield of wheat in this district is 40 maunds per acre and the yield of cotton is about 27 maunds per acre. The soil when watered becomes very soft but when dried up becomes so hard that a galloping horse will leave no hoof marks on it. Not to give water to this district is not a wise policy. If some irrigation arrangements are made for this district the Government's revenue will increase a good deal. To say that this scheme is expensive and that it will not bring any return on the capital invested does not become the Government. (*Interruption.*) Then, what other consideration stands in the way of the Government? You can say that so long as an agreement is not made with the States it is difficult to build this scheme. But Sirhind Canal belongs to the Government and you can take this new canal through the land attached

to the Sirhind Canal. (*An Honourable Member* : That canal does not entirely belong to the Government. Some portion belongs to the Government and the rest to a State). Very well. But the case of the Sutlej Valley Project is before us. Bikaner State has got a share in it and an agreement has been made with that State. But so far that scheme has not proved itself useful. (*An Honourable Member* : If that scheme is not successful then this scheme cannot become successful in any case.) That is your point of view. But if this scheme is constructed the Sutlej Valley Project will also become successful. In order to save Hissar and the neighbouring districts like Ferozepore and Ludhiana it is necessary that this scheme should be constructed. Whenever there is famine in the Hissar district the people go to their relations in the neighbouring districts and also take their cattle along with them. This increases the burden of expenditure on the zamindars of those other districts. In view of all that I have said I hope that the government will see their way to accept this resolution.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, Non-Muhammadan, Rural) (*Urdu*) : Sir, in my previous speech I used the word *bania* the significance of which has been misunderstood. When I used that word with regard to the Government I only meant that it was unduly calculating in its outlook and policy. A *bania* Government in this sense is not a good Government. Similarly a zamindar Government which is too careless about its purse will be a bad Government. The present need is that we the zamindars should try to develop in ourselves some of the habits of the *banias*, such as prudence in matters of money while the Government should try to adopt the ways of the zamindars who are very generous and liberal-handed.

After explaining this I want to say that I was very much pained by the speech of the Honourable the Finance Member. The speech of the Honourable the Revenue Member also pained me though in a smaller degree. I had written a letter to His Excellency requesting that in case my resolution failed to come on the agenda in the ordinary course it may be given some time on an official day as a special case. I wrote a similar letter to the Honourable Member for Revenue. The Government acceded to my request and granted time for its discussion to-day after the Supplementary grants. I thought that the Government had shown a special favour to me in allowing the discussion of my resolution to-day. But the speeches made by the Government members show that instead of obliging me they have turned the occasion to their own account for the purpose of explaining their changed attitude with regard to the Bhakra Dam Scheme once for all. Thus they did not mean to benefit me, but they wanted to benefit at my expense. From the speech made by the Chief Engineer and from the figures quoted by him during that speech it appears that the Government will not lose anything by executing this scheme. The honourable the Chief Engineer's speech clearly shows that with the present rates of *abiana* the Government will make a profit, though not large. He further stated that if *abiana* was charged on this new scheme even on reduced rates the scheme would pay its way. The Honourable the Finance Member tried to scare the House by laying undue emphasis on the fact that the expenditure required to construct this scheme would be a huge sum of 22 crores of rupees. Those members who had not heard or clearly understood the speech made by the Chief Engineer would

[B. B. Ch. Ohhotu Ram.]

certainly be scared away by hearing the very mention of the huge sum of 22 crores of rupees. A fear was also expressed that some day this dam may burst and cause terrible havoc to the country around. It was stated that by a breach in this dam the Patiala State, the district of Hoshiarpur and Jind State might be subjected to heavy floods and in this way much loss of life and property might be caused. But the Government had called an expert from America who gave a definite opinion that a dam of not only 360 feet high could be constructed but a dam of 460 feet height could also be constructed without any danger of a breach taking place in it. The Government have thrice got this matter investigated and the reports of the experts have always been that there was no risk of the kind in constructing a dam of the mentioned height. There will be no danger to the district of Hoshiarpur or the Patiala State, or any other territory. In referring to all these possibilities there can be only one object of the Government members and that object is that the honourable members may be terrified so as to agree to an abandonment of all idea to pursue this scheme any further.

No difficulty, whether technical or financial, stands in the way of constructing this dam. The attitude of the Government reminds me of a story. A master at night asked his servant to go outside and see whether it was raining. The servant did not go out, and returned after a mere pretence of having gone out saying that it was raining. When the master asked him again to go out and see whether it was raining he replied that it was raining. Upon this the master enquired how he knew that it was raining? The servant said that a cat had come inside and that he had touched its back and found that it was wet and inferred that it was raining outside. Similar is the case of the Government. They are unwilling to do a thing and are trying to evade by such methods as they are employing at present.

The next difficulty referred to by the Government members was that Bilaspur State in whose territory the dam was to be constructed did not give its consent to its construction, and that the other states raised objections as to their share of the money being paid. Out of the 22 crores of rupees, 12 crores will be contributed by the Punjab, 7 crores by Bikaner, 3 crores by Patiala, 2 crores by Maler Kotla, Nabha and Jind States. It is my personal information that the Bikaner State is quite willing to agree to pay its share and all the other States with the exception of Patiala about which I have got no information are willing to pay their share and are anxiously waiting for the day when this project will be taken in hand and constructed. If there is one State which is not willing to express its agreement then the Government should try to get its consent and persuade it to enter into an agreement. The Government have already spent about 16 or 17 lakhs on the surveys. The Chief Engineer has said that about 10 lakhs more will be required to finish the survey work. The Government should not hesitate to spend these ten lakhs of rupees more. It had started the survey work, let it continue and finish it. To stop the survey at present and start it again after some time would mean double expenditure. Then Sir, for economy's sake the Government can make squares of 100 acres each instead of 25 acres each. This will save money as well as time. The Government should not hesitate to spend 10 lakhs more on survey works in order to complete it. Where the Government has spent 17 lakhs already let it spend 10 lakhs more. A

sum of 10 lakhs is a paltry sum in a scheme which is to cost 22 crores of rupees. If the benefit of this scheme has to go to 40 or 50 lakhs of human beings the Government should not care much for the little loss that it may have to incur on account of this scheme. If you try to continue the work of survey on economic lines your estimates of the expenditure in practice may come down to perhaps 6 or 7 lakhs. This expenditure on the initial stages of a scheme which concerns an investment of 22 crores of rupees, should be gladly borne. Even if you think that 10 lakhs will be wasted you should not hesitate to spend it, for on this expenditure depends the profitable investment of such a huge sum as 22 crores of rupees. In the end, I commend my resolution for the consideration of the House and hope that the honourable Government members will see their way to accept it very gladly.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) (*Urdu*): Sir, the honourable the leader of the Unionist party is wrong in thinking that the Government has granted permission to move this resolution to-day with any ulterior motive. This misunderstanding I believe is due either to his absence when the official members were speaking or to his pre-occupation in holding conferences with members of his party, while I was making my speech. The honourable member himself made a request that in case his resolution was not reached on the days allotted for non-official resolutions he should be given a special day for the discussion of his motion. It was on his request that we have given time on an official day for this resolution. Government has merely taken this opportunity to apprise the House of the difficulties that stand in the way of proceeding with the Bhakra Dam Scheme. It is therefore unfair to accuse the Government of exploiting this occasion for their own purposes.

At this stage the Council adjourned till 2 P.M. on Tuesday, 28th March 1933.

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PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 28th March 1933.

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

WHITE PAPER.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member): Sir, I move—

That the White Paper be discussed by the Punjab Legislative Council.

In doing so, I might point out that official members will not take part in the discussion except to correct any misstatement of facts. The Ministers, if they so desire will be at liberty to speak. Government will communicate the views of this House and the proceedings of the discussion to the authorities concerned for their information.

Mr. President : The question is—

That the White Paper be discussed by the Punjab Legislative Council.

The motion was carried.

Mr. President : The Council will now proceed to discuss the White Paper.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): It would be interesting if Chaudhri Zafrulla Khan who had something to do with the shaping of the White Paper would initiate the discussion.

Chaudhri Zafrulla Khan [Sialkot, Muhammadan, Rural]: Sir, it is obviously impossible for me during the time that is at the disposal of this House this afternoon to make an attempt to give even in the briefest summary either a history of the discussions that preceded the preparation of the White Paper or the contents of the White Paper itself. The White Paper has now been before the country for 10 days and there has been ample time for various interests concerned to formulate and for some of them even to express their views upon it and I have no doubt that all honourable members of this House are by this time fully conversant at least with the more prominent features of the White Paper. I shall not attempt in any way to anticipate their expression of opinion on the main features or even the details of the White Paper. All I shall endeavour to do is to put before them for their consideration and for their expression of opinion certain matters which, in my humble opinion, require emphasis or certain other matters which if prominent attention is not drawn to them are likely to escape attention. In attempting to do so I shall endeavour to follow the plan adopted in the White Paper itself and if I have occasion to refer to the paragraphs of the White Paper the reference will be to the paragraphs of that part of the White Paper which is headed 'Proposals.' If I have occasion to refer to any part of the Introduction I shall expressly say so.

[Ch. Zafrulla Khan].

As honourable members are aware, the general scheme of the future constitution is an all-India Federation with Governor's provinces on one side and such states or groups of Indian States on the other as choose to enter the Federation. With regard to this, one matter that at its very inception would require the attention of honourable members is this. The White Paper says that the authority of the Federation, so far as the Indian States are concerned, will be co-terminous with the power and authority which the Ruler of each acceding State transfers to the Crown for the purpose of that power and authority being exercised by the Federation. The point of view that requires attention is this: If honourable members will turn to Appendix VI—list 1—of the White Paper, they will find a certain number of subjects therein described as Federal subjects. The idea is that the States that come into the Federation will signify in their instruments of accession which of the subjects in that list they wish to make federal and the question that arises here is, what will the plan be? No doubt honourable members will express their views on this matter in the course of the discussion. Will it be open to State A to come into the Federation saying, "I wish to make subjects 1 to 25 in the list federal?" And will it be open to State B to come in and say "I wish to make only subjects 1 to 20 federal?" And will it be open to State C, to say "I will make only subjects 1 to 17 federal?" My own impression is that that would probably not be so, but the White Paper does not expressly say what would be the condition of things. Then once you have the Federation formed, you proceed to form the federal executive. The Instrument of Instructions to the Governor-General will lay upon him an obligation that in forming his ministry he shall endeavour as far as possible to include in his ministry, among other interests, States' representatives also. There can be no objection to that; but the question that arises here is this. This matter has been dealt with in paragraph 14 of the Proposals. The federal executive will deal with two classes of subjects—subjects that are strictly federal in the sense that their legislation and administration vests throughout in the Federation, both in British India as well as in the States and subjects which are not federal in the sense that they are subjects common to British India only but they are not common to British India and the States, that is to say, such central subjects with regard to which the States have not federated. For both these categories of subjects there will be only one executive and that executive will be composed of Ministers drawn from British India as well as from Indian States. The White Paper does not say whether there will be any convention that the administration of a purely British Indian subject may or may not be committed to the care of a Minister who is a State's representative. That is another matter which requires careful consideration at the hands of British Indian representatives. For instance, take the subject of education. The States do not propose to make education a federal subject. It is mainly provincial but there are some aspects of it which will be central as far as British India is concerned. Now it is possible under the terms now outlined that a States' representative may become in the future federation the Minister for Education and administer a subject which has nothing to do with the Indian States and which is an entirely British Indian subject.

Another matter which arises in this connection is the constitution of the federal legislature, having regard to the two component parts, British India and the States. Here, as honourable members have observed, the proposal in the White Paper is that in the Upper House to be called the Council of State, out of 250 elected or appointed members—because ten will be nominated—100 should be States' members and 150 British Indian members which works out at 40—60. In the Lower House, the House of Assembly, the proportion will be, out of 375 members 125 members will be from the States and 250 from British India, which works out at 33½—66½, States and British India. That raises the question of weightage to the Indian States. I do not want to go into the *pros* and *cons* of the question, but for British India it is a question for consideration as to what shall be the quantum of representation to be allowed to the Indian States. The States claim that they ought to have weightage inasmuch as they will be the minor partner in the Federation and some sections of British India have said that factors which ordinarily determine the question of weightage, such as culture, language, religion, etc., do not divide British India and the States as to justify the States getting weightage and therefore that question ought not to arise. Another question is, whereas British Indian representatives to both Houses will be elected, the representatives of the Indian States will be appointed by the Rulers of the States. On behalf of the States this is said to be a domestic matter for them and they claim that they should select their representatives in any way they choose. On behalf of certain sections of British India it has been stated, that "the constitution of the federal legislature where all of us combine for the administration of common subjects is a matter for all of us, and not merely for one section" and a demand has been made that representatives of Indian States should also come in under some method of election. Then a question arises in regard to this nomination of States' representatives. Suppose you start with a legislature of this kind where you have on the one hand members elected by the people of British India and on the other members nominated by the Rulers of Indian States; what is to happen during the course of the session of the legislature? On the side of British India we are perfectly clear that unless a member resigns or incurs a disqualification he continues to occupy his seat. Will that be so in the case of the States' representatives? Supposing State A has nominated to the Upper House X, Y and Z in the beginning of the session and during the course of the session, X, Y or Z or all three of them have behaved in a manner either in voting or speaking or in some other way which has displeased the Ruler who had nominated them, will he be at liberty to withdraw them immediately or after a short time and replace them by other members? That is to say, are the members representing the Indian States not only to come in initially at the pleasure of the Princes but also to continue at their pleasure or should a nomination once made be binding throughout the term of that legislature and be void only on the incurring of a disqualification?

Mr. Nanak Chand Pandit : What is your opinion?

Chaudhri Zafrulla Khan : I am not expressing any opinion but am only trying to bring to the attention of the House certain matters for which the White Paper makes no provision or to emphasise certain matters.

[Ch. Zafrulla Khan.]

which require emphasis. So far as the age of the legislature is concerned, honourable members might wish to consider one point of interest which is this. In the Federal legislature the age of the Lower House is proposed to be fixed at 5 years and the age of the Upper House at 7 years. It is worth considering whether with regard to the Upper House it may not be more advisable to have a method somewhat like this. It is proposed that the Upper House shall be elected by provincial legislatures and instead of giving a fixed age to the Upper Federal Chamber, as it is proposed in the White Paper, it should be so arranged that as soon as a legislative council is set up in the provinces it should proceed to elect its quota of members to the Upper House and as soon as the provincial legislature is dissolved that quota which was elected by that particular legislative council should cease to hold their seats.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Even if the council is dissolved earlier.

Chaudhri Zafrulla Khan : Whenever it is dissolved, and as soon as it is reconstituted it should elect its representatives. That is another important matter on which honourable members might wish to express their opinion. With regard to this question of nomination and election there is another matter that requires attention. Under the present rules honourable members are aware that a British Indian subject as well as a State's subject are eligible for election to the British Indian legislatures. It is proposed in the White Paper to maintain that rule and it is worth considering whether that should be so. Because in future so far as the federal legislature is concerned, States are going to have a definite share of representatives in each Chamber and they will be able to nominate their representatives, and the rulers of the Indian States and the subjects of the Indian States in addition have the right to stand for British Indian constituencies both for the federal legislatures and for the provincial legislatures. There is no question of reciprocity here, as there will be no election of representatives from the Indian States. There they are going to be nominated at the absolute discretion of the ruler and, therefore, it cannot be said that the States having conceded to British Indian subjects the right of election to State constituencies, the same right of election to British Indian constituencies should be conceded to the subjects of the States. Passing on to matters affecting the provinces, apart from the list of safeguards,—I propose to refer to one of them only when I am dealing with the services—there are other matters in the nature more or less of safeguards although they are not described as such which require attention. I am not touching upon the safeguards for the reason that I do not wish to anticipate whatever criticism honourable members may have to level at the scheme of safeguards they being the most important part of the White Paper. With regard to that I am here to listen very carefully to what honourable members may have to say. But apart from safeguards, if honourable members will turn to paragraph 69 of the White Paper they will find that that gives power to the Governors of provinces—there is a corresponding power given to the Governor-General in paragraph 16—to frame rules of business in consultation with his Ministers but at his discretion—that again is a matter on which I would express no opinion whatever, but it is a matter which might have

escaped attention unless attention had been drawn to it. It is not a purely formal matter and no doubt honourable members will give it due importance—it means that although in some matters he will seek the advice of his Ministers, he would not be bound to follow that advice. With regard to provincial legislatures I have already drawn attention to the fact that subjects of Indian States will also continue to be eligible for election. This is referred to in paragraph 79 for legislative assemblies in provinces and in paragraph 81 for legislative councils in those provinces in which second chambers have to be set up. Another matter to which honourable members might devote attention—it has so far received very little attention—is the question of privileges of the Houses of legislatures as well as individual members of such Houses. The only privilege which has found place in the scheme as indicated by the White Paper is that of privilege of free speech.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Which we already have.

Chaudhri Zafrulla Khan : That is provided for in paragraph 36 for the federal legislature and paragraph 86 for the provincial legislatures and if honourable members as a result of their experience desire that in this matter there ought to be any advance or addition, they will no doubt give their views in this connection at this stage. Honourable members will also notice that there are one or two provisions expressly brought into the White Paper in order to give stability to future ministries both in the central as well as in the provincial legislatures, an object which is eminently desirable in itself. Two provisions to which I may draw your attention are one that the salaries of the Ministers are proposed to be made non-votable, that is provided for so far as the centre is concerned in paragraph 49 (ii) and so far as provinces are concerned in 98 (ii).

The Honourable Captain Sardar Sir Sikander Hyat Khan : But the salaries will be fixed by the House itself.

Chaudhri Zafrulla Khan : The scheme is this. The salaries will be left to be fixed by an Act of the legislature. Pending the passing of the Act they will be fixed by the Governor-General in the centre and by the Governors in the provinces, but they will be made non-votable. Having been made non-votable it follows that they cannot be reduced during the tenure of office of a particular Minister. I am merely drawing attention to these matters. With regard to the question of responsibility in the non-reserved field in the centre and the whole field in the provinces, the position stands thus. In the centre it is provided of course that certain departments shall be reserved departments, Defence, External Relations and the Ecclesiastical Department. Outside the sphere of these departments it is provided, rather it is proposed that the Instrument of Instructions will say that the Governor should follow the advice of his Ministers unless to be guided by the advice of his Ministers would run counter to any of his special responsibilities in which case he is entitled to overrule the advice tendered to him by his Ministers. So far as provinces are concerned, there will be no reserved departments. Therefore over the whole field the Governor will be guided by the advice of his Ministers unless to be so guided will run counter to any of his special responsibilities. Apart from the Instrument of Instructions the White Paper does not anywhere expressly say that the Governor will be

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bound by the advice of his Ministers. The Instrument of Instructions will say that it is His Majesty's pleasure that the Governor shall be guided by his Ministers unless, etc., etc. In the remaining field the complete responsibility of the Ministers shall continue. This also emphasises, although it is nowhere expressly stated, but I do not think there could be any doubt about it, that if the Ministers cease to possess the confidence of the House, they must vacate office. As to how this is to be secured, having regard to the fact that their salaries are non-votable, is a matter of detail, but I do not think there could be any doubt on the question that if the Ministers cease to enjoy the confidence of the House they must vacate office. With regard to the relations between the Federation and the units, there is one matter which might be of interest to honourable members and that is the extent of the legislative powers of the federation and the units. Schedule VI, List I, specifies the subjects legislation upon which will be exclusively in the power of the federal legislature and the provinces cannot trench upon any of these subjects. Schedule VI, List II, specifies subjects legislation upon which will be the exclusive right of provincial legislative councils. List III is a list of concurrent subjects, subjects on which it has been said uniformity throughout India is desirable but there may be room for local variations to meet local conditions. There both the federal legislature and the provincial legislature will have the power to legislate. In case of a conflict between a federal statute and a provincial statute relating to one of these concurrent subjects the federal statute will prevail unless the provincial statute had been reserved for and had obtained the assent of the Governor-General in which case the provincial statute will prevail unless it is repealed by the federal legislature, after obtaining the previous assent of the Governor-General as such and not of the Governor-General in Council. After disposing of these federal subjects, provincial subjects and concurrent subjects, there is still an undefined category of subjects left which has raised a good deal of controversy in the country and which has been described as residuary subjects or residuary powers. The solution with regard to this matter which has been put forward in the White Paper is this. The provincial list, as honourable members will observe, if they turn to List II, Appendix 6, item 76 at page 109, provides thus—

Generally in a matter of a merely local or private nature in the provinces not specifically included in the List and not falling within List I or List III, legislation on such a subject would be within the competence of the provincial legislatures subject to the right of the Governor-General in his discretion to sanction general legislation.

That provides for one category of residuary subjects, that is to say, residuary subjects of a purely local or provincial nature. With regard to other residuary subjects which may not be defined as purely local in their operation, the solution put forward is this. The Federal legislature would be able to legislate with the previous assent of the Governor-General as such and provincial legislatures will also be able to legislate on these subjects with the previous assent of the Governor-General as such.

Those will be the relations on the legislative side between the units and the federation. On the administrative side there is one matter to which I wish particularly to draw the attention of the House. And that is that a provision has been made that the federal government shall have power to

give directions to provincial governments with regard to the regulation of any matter which affects the administration of a federal subject. This is paragraph 125. That is another of those little matters which might escape attention but is a matter of very great importance. This paragraph proposes to reserve to the federal government the power of telling provincial governments what to do in certain matters on the ground that their action or inaction is likely to affect the administration of a federal subject. That is to say, they will regulate the conduct of provincial matters by provincial governments on the plea that they affect the administration of federal subjects. With regard to this matter a point was raised during the discussions in the third Round Table Conference that if such a power was necessary there must be some power vesting somewhere where if the federation administers its own subjects in such a way as to prejudicially affect the administration of provincial subjects it should be given directions not to do so. That again is a matter which requires the consideration of honourable members, whether there ought not to be reciprocity in the matter. If a provincial government proceeds to do something which in the opinion of the federal government affects one of their subjects the remedy is provided for. But if the federation proceeds to do something which in the opinion of the provinces trenches upon the administration of provincial subjects there is no remedy provided.

Then there is another new provision, a provision of a beneficent character I think, which does not at present exist with regard to the powers of legislation. That is provided for in paragraph 116. It was felt that there might be matters in connection with which two provinces or more might desire uniformity of legislation, and in that case it may be difficult for their separate legislatures sitting separately to pass identical legislation on that subject. And therefore power will be taken in the new statute for the federal legislature to legislate for two or more provinces at their joint request without amendment a measure upon which they have agreed, a measure with regard to which the power of subsequent amendment will vest in the legislatures of the provinces and not in the federal legislature itself. That is another matter which requires careful consideration.

I come now to a matter which does relate to one of the safeguards provided for in the centre, that is, with regard to discrimination. And here I would draw the attention of honourable members to paragraphs 122 and 123, and I think the matter is of importance. Paragraph 123 deals strictly with commercial discrimination and it proceeds upon a basis of reciprocity, that is to say, that British subjects domiciled in Great Britain including companies, firms and so on should enjoy the same position in India which British Indian subjects, companies and firms enjoy in Great Britain. As I have said it is for honourable members to express their views on that well understood principle which has been put forward. But paragraph 122 brings in the matter under a general guise which I think may not be fully appreciated unless pointed attention is drawn to it. Says this paragraph—

The federal legislature and the provincial legislatures will have no power to make laws subjecting in British India any British subject in respect of taxation, the holding of property of any kind, the carrying on of any profession, trade, business or occupation, or the employment of any servants or agents, or in respect of residence or travel within the boundaries of the federation to any disability or discrimination based upon religion, descent, caste, colour or place of birth.

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So far as that would apply to the citizens of the federation, there could be no possible objection to it. As a matter of fact, it is imperative that that should be so. But as it is worded it gives to a Hottentot domiciled in South Africa the same rights within the federation as any citizen of the federation, whereas the position of British Indians in other colonies is well understood. That is not based upon any reciprocity whatsoever. That is again a matter on which honourable members will no doubt express their views, as to whether that should be so.

With regard to federal finance I will not go into the complicated question of allocation of income-tax between the provinces and the federation and the corporation tax and at what stage it will be levied upon the states-units of the federation and on what basis and so on. A study of the White Paper will disclose to honourable members themselves in what respects the principle that towards federal revenues all federal units must contribute on a uniform basis has been departed from and when they perceive that it has been departed from in certain particulars it is for them to say whether the departure is or is not justified.

There is, however, one matter to which I must draw the attention of the House as one interested in British Indian revenues and British Indian tax-payers *vis à vis* the States, that may enter the federation. That matter is alluded to in paragraph 143 of the proposals and is dealt with in paragraph 61 of the Introduction. It is a matter that relates to what are known as contributions, immunities and compensation for ceded territories. The proposal is that the contributions which Indian States at present make to British Indian revenues—that is the effect of it—shall gradually be abolished and that certain States which at one time or other have ceded territory either to the East India Company or to the Crown in return for certain protections or privileges shall get a compensation for those ceded territories. I shall merely explain the principle upon which these proposals are based and again leave it to honourable members to express their views on them. The first principle on which it is proposed to abolish the contributions is that inasmuch as the future government in India is going to be an all-India federation of British Indian units and States units it is anomalous that one unit should make a contribution towards the revenues of all the units together or for the benefit of the other units on a system which might have been justified in ancient feudal days but is no longer justified. Those contributions should therefore be remitted. With regard to ceded territories the argument is that those territories were ceded at one time in return for certain privileges instead of cash annual or lump sum payments and now that contributions are being remitted either those territories must be returned to the States which ceded them or if that is difficult—and it has been held that it is out of the question—they must receive some compensation for those ceded territories. The Davidson Committee were asked to go into that question. They were asked to report as a result of their investigations what was in each case the surplus of revenue derived from those ceded territories and in each case they found that there was no surplus. There could be no surplus at this stage. It was futile, with all respect, to go into that inquiry for this reason, is there any surplus anywhere now-a-days? At the time that those territories were ceded the East India Company as

well as the governments of Indian States were carried on on the principle of making profits out of their territories and that although they were called so they were not governments in the modern sense of the word but profit-making concerns and no doubt the cession of these territories was a bargain between the two parties where the one said : I am giving you so much land in lieu of so much money and you can make money out of it. Since long this idea of government has been exploded. Government is now carried on at least in theory for the benefit of the people of the country governed and the taxes that are levied upon the people are returned to them in the form of beneficent activities of the government, by maintaining law and order, providing education, hospitals, roads and other things. And that being so the entire revenue that is raised within the country is spent for it, as I have said, in the beneficent activities of the government. Consequently all these ceded territories are getting back in the shape of these benefits whatever revenue is raised from them. There is thus no surplus. That being the position the Davidson Committee proceeded calmly to say : This will never satisfy the States ; what we shall do is to assess the surplus as it stood at the moment when the territories were ceded ; and we therefore recommend that each of the States shall for ever receive an annual sum equal to the amount which those ceded territories used to yield at the time when they were ceded. For instance in one case they recommend a perpetual payment of Rs. 18 lakhs a year for certain ceded territory. That is another matter which honourable members ought to consider.

I may now go on to offer one or two remarks with regard to the judicature. A federal court as has often been explained is an essential part of a federation, and it is proposed to set up as part of the federation a federal court in order to decide disputes of a certain nature. I need not go into the details of the jurisdiction of that body. It is also proposed to give power to the future federal legislature to set up a supreme court of appeal for British India, if they so desire. And with regard to that supreme court certain limitations upon its jurisdiction and the qualifications of the judges are laid down in the White Paper and are proposed to be laid down in the constitution. I wish to draw attention to one minor matter of interest to the lawyer members of this House. Honourable members will see that the compulsory limit of retirement for judges of the federal court and the supreme court is proposed to be 62. It is a question for consideration whether the limit should not be higher than that considering that it would be very often fairly senior judges of the High Courts who might be promoted to the supreme court or the federal court. Whether the limits should not be fixed at 65 is a matter which might be considered. But as I said it is a minor matter. (*Mr. Nanak Chand Pandit* : Why not at 75 ?) At one time the proposal was made in the Round Table Conference that it should be fixed at 70. And it was put to me by the Lord Chancellor—if I might be permitted to make a reference to what happened there—and my reply was, that I should be extremely chary of submitting a case in which I was interested to the arbitrament of a judge 75 years of age sitting at Delhi in the month of May. He would not be able to keep awake, let alone be able to decide the case in a judicial manner.

One matter which would interest my lawyer friends is this. As they are aware, at present apart from the presidency high courts there is no pro-

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vision for a criminal appeal from a High Court to any higher court. The proposal as laid down in the White Paper is that in cases where a death sentence has been imposed there shall be an appeal to the supreme court from the judgment of a high court, also in cases where an accused person has been acquitted by the trial court but has been convicted for the first time by the high court, he shall have a right of appeal to the supreme court on the principle that every person who is convicted of an offence should have at least one appeal. The high courts will also have power to certify that a criminal case is fit for appeal in which case by special leave of the supreme court there might be an appeal. At present there is no right of appeal but there are a good many petitions sent up to the Privy Council in criminal matters. That kind of petition will cease so far as the Privy Council is concerned.

With regard to the high courts there are two matters to which I wish to draw attention. So far as the appointment of judges is concerned, it is proposed that additional judges and temporary judges should be appointed by the Governor General at his discretion. Again if I might be permitted to make a reference to one of the matters that was discussed in the Round Table Conference I might say that there was a complete unanimity on the point, absolute unanimity both among Indian delegates as well as British delegates that this institution of additional judges should in future disappear. With regard to the appointment of temporary judges the present position is that temporary judges are appointed by the Governor. The proposal is that in future they should be appointed by the Governor General. That is another matter which honourable members might consider. It is also proposed in paragraph 175 that the federal legislature should have power to regulate the powers of superintendence exercised by high courts over the subordinate courts in the province. In the scheme as outlined in the White Paper the Federal Court and the Supreme Court will be, as it were, central courts. High courts will be the highest provincial courts and it is a matter for consideration whether this power of superintendence possessed and exercised by high courts and subordinate courts should be regulated by the federal legislature or by the provincial legislature.

With regard to the services I wish to draw attention to two matters. As honourable members are aware this is dealt with both in the "special responsibility" clauses on the question of the services as well as separately under one separate section. The "special responsibility" is in paragraphs 18 and 70. According to paragraph 18 (d) the Governor General shall have special responsibility to secure to the members of the public services the rights guaranteed to them or provided for them by the constitution. This is plain sailing, but it goes on to say and also to secure their "legitimate interests." I am not quite sure but I rather think that this is an addition to the phraseology which was agreed upon in the Round Table Conference, and in any case it is for honourable members to consider whether the expression "legitimate interests" is an expression capable of exact definition and as to how far this safeguard may or may not extend.

Then the general question of privileges and rights and 'legitimate interests' is dealt with in paragraphs 180 to 201. I shall not here go into

details. Schedule VII lays down in detail the different privileges which are intended to be secured and different rights and so on, but I shall say this that in case after a brief period there is some remedy available under the constitution by which the matter can be put on a satisfactory basis it would not perhaps have been necessary to examine the detailed privileges themselves with any great meticulous care and therefore I was more anxious to see what was the ultimate remedy provided rather than the intervening privileges to be secured. It is stated in paragraph 189 that after five years of the introduction of the new constitution a commission will be set up to deal with this matter in which Governments in India will be represented and which will also have the representatives of His Majesty's Government and the matter will be decided by His Majesty's Government in concurrence with both Houses of Parliament. The difficulty is this. You propose to make the provinces autonomous and responsible in the sense that in provincial matters there will be no interference by the central government and within its own sphere a provincial cabinet will be completely responsible to the legislature. Take this position. There is a vote of censure moved under the new constitution against the Ministry—against one Minister or the Ministry as a whole—and the vote of censure relates to some action or some default of a member of the protected services. The vote of censure is carried. The Ministry must resign. Although it may be that the Minister responsible for the matter did seek before the action was taken or before the default became irremediable to remedy the matter and his instructions not having been carried out the question became one between him and the officer concerned and the Governor. The cabinet cannot take disciplinary action against the protected officer concerned while the Ministers are liable to dismissal themselves by the legislature on account of the default of that particular officer. An instance of that sort might occur. At the same time it is perfectly equitable that the officers must be assured that their rights and privileges shall be secured. That is a perfectly justifiable position to take up and that is why, as I have thought to myself, no doubt a period must intervene where such difficulties might arise, but if we can visualise the time when members of the services who are serving in the provinces will be responsible entirely to the Government of the province, well then it might be easier to reconcile ourselves to what might be proposed during the interval. With regard to the future, it is for honourable members to say whether they would be satisfied with paragraph 189.

There is one other matter to which I might draw attention and then bring this somewhat lengthy speech to an end. It is this. The White Paper contains all the details of the future constitution so far as they have been settled by agreement up to this time, and where there was no agreement there His Majesty's Government have put forward their own proposals.

With regard to one matter there is a proposal not a decision contained in the White Paper and it would not be out of place if I attempted to explain the position to honourable members. That is the question which has been characterised as the communal question with regard to which unfortunately the communities failed to agree and which was left to the decision of His Majesty's Government. With regard to the Lower Federal House detailed provisions have been made but with regard to the Upper House a proposal has been put forward and it is stated that if it does not satisfy certain

[Ch. Zafrulla Khan].

sections, additions or modifications might have to be made in the proposals. That is a matter which would not be a matter for the Joint Select Committee at all; that is a matter upon which His Majesty's Government have to give a decision. It is not a matter for the concluding stages of the Round Table Conference and I may be permitted to express the hope that His Majesty's Government will be able to give their decision before the Joint Select Committee meets—a decision which I think shall remove all obstacles of a communal nature. These are the observations that I wished to make.

The Honourable Malik Sir Firoz Khan Noon : I submit that there should be some time limit to the speeches of members.

(After informally consulting the wishes of the members.)

Mr. President : I propose to allow fifteen minutes to each speaker.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : Sir, after the able speech delivered by the honourable member from Sialkot who has had the advantage of being a delegate at the Round Table Conference, it is unnecessary for me to go into the details of this White Paper and I will confine my remarks to the criticism of its salient features. I cannot do justice even to this, because to go into full details would require a good deal of time.

It will be clear to everyone who has read the White Paper that these proposals are meant to usher in Federation for which there has been discussion for a long time and for which so many commissions have been set up. But it is said that the mere passing of the Constitution Act will not bring in Federation. There are three things before that can be done. In the first place there is the question of the establishment of the Reserve Bank ; secondly, there is the coming in of the Indian States ; and thirdly, the payment of the short term debts. These things are essential before Federation can be established. But these things are likely to take a very long time and thus the dream of federation will remain unrealised for a very considerable time. It is in fact lost in the distant mist which these things raise around it. However, as we are going to have provincial autonomy at once, in order to understand it we must first have a glimpse of that distant consummation and therefore I will take a very brief view of the future Federation. When the Federation comes it will be observed that there are three subjects which have been reserved and the rest will be transferred when that eventuality is established. But even in the transferred subjects the Governor General will be free to act. He will be guided by the advice of his Ministers so long as the fulfilment of his responsibility is not in compatible with the following of that advice. What is that responsibility ? It is nothing. It is like that proverb : " Always consult your wife, but never act upon her advice " ! He will always consult the Ministers in the transferred departments but he is not bound to act upon their advice, if to do so would be incompatible with the special responsibilities which have been enumerated on page 9 of the White Paper.

As the time at my disposal is very short I shall not start discussing these points, but I hope the honourable members understand them. What is worse is the fact that the Viceroy has been given power to interfere directly with the work of the

legislature. He can arrest the course of debate in the legislature on any Bill, he can disallow a Bill pending before the legislature and if he likes he can enact a law on his own responsibility, even without the advice of the ministers. That is a power which has not hitherto been given to a Viceroy. I submit that this is a power which was not given even to the Czar of Russia, or even to the Sultan of Turkey and perhaps not even to the King of Kabul. None of these people had power to make permanent laws for their countries without consulting their advisers. This is a new power which is proposed to be given to the Viceroy under the new constitution. In face of this, to say that we are being given responsible government is a myth and a phantom. There is hardly any responsible government.

Apart from that, with respect to the budget unlimited powers are proposed to be given to the Viceroy which he does not possess at present. It is said that he can, if he finds that the budget as passed by the legislature is not satisfactory, restore, any demand that has been cut down or refused and he can also increase the demand under any head. In the matter of finance there is absolutely no restriction on his powers. In the matter of making ordinances he has still got absolute powers. In face of these provisions, I do not think there would be any responsibility in the central government.

Coming to the question of services, we find that all the all-India services are still proposed to be under the control of the Secretary of State who is six thousand miles away. Neither the ministers nor the Viceroy will have any sort of control over them. Public opinion in India has all along been against this system and yet the power of control is proposed to be vested in the Secretary of State. The Secretary of State will naturally be an autocrat as he has hitherto continued to be. Of course he is to be assisted by a council which will consist of not less than three members but may consist of more. It will be to the interest of the Secretary of State to keep this number as low as possible so that his powers may be fettered as little as possible.

This much about the central Government. Coming to the provinces, it is said that the Governor will act under the advice of the ministers, but if to do so will be incompatible with his responsibility, he will not be bound to accept the advice of the ministers. This again is akin to the powers of the Viceroy. The Governor now gets more powers than he possesses at present. As the Government of India Act stands at present he is bound to accept the advice of the ministers and if he does not agree with their views then the procedure is for the ministers to tender their resignation. That exercises a good deal of check on the powers of the Governor. But under the proposed constitution he will be free to act as if there was no minister. Here again the proverb I referred to a short while ago applies—Always consult your wife but never act upon her advice. Therefore the responsibility which it is claimed that the new constitution provides in the provincial government is no responsibility at all.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Which paragraph of the White Paper is the honourable member referring to.

Chaudhri Allah Dad Khan : It is on page 51. The Governor is empowered to make legislation if the provincial legislature refuses to do so

[Ch. Allah Dad Khan.]

on any subject. This power does not lie in the Governor at present. By the proposed constitution he will get more powers than he possesses at present. To supplement this power he has been given power to promulgate ordinances which at present rests only with the Viceroy. In the matter of finance, his powers are the same as those of the Viceroy. He can restore any grant that has been reduced or thrown out by the provincial legislature. Under the existing Act if a demand for a transferred department is thrown out by the legislature the Governor is put in a difficult situation. Under the present Government of India Act he cannot restore the demand of the transferred department which has been thrown out by the legislature. While on this point I may point out that a few months ago the Governor of the Punjab restored a cut which was effected by this Council in the demand for Irrigation. That was wrong. Under the Government of India Act he could not have done that. The only course open to him under the circumstances was to have asked for the resignation of the Minister in charge of that department and to have appointed a new Minister and in the event of a new Minister not being available to have taken charge of that department himself. He could not have restored the demand which was thrown out by the legislature. (*Interruption*). If the honourable member will read section 72-(1) (d) he will find that my remarks are fully borne out. However that may be, under the new constitution that difficulty has been removed. Power has been reserved for the Governor to restore a grant that has been rejected by the legislature even without certification procedure and there is no need for him to ask for the resignation of the Minister.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I rise to a point of order. In placing the motion before the House I made it perfectly plain that Government members will not take part in the discussion except to correct misstatements of facts. The honourable member has made at least two incorrect statements and I wish to draw your attention to them as I may have to speak merely to correct them.

Chaudhri Allah Dad Khan : I have touched briefly the powers of the Governor-General and of the Governor. Now, I want to point out the consequences of these extraordinary powers. What is the limit to the powers of the Governor-General in enacting a law? I say, even during the pre-reform days, even during the days before 1909 when the legislative councils were enlarged, the Viceroy did not possess these absolute powers. He had at least a few members whose consent he had to take before enacting any law. Now, with so much power in the hands of the Viceroy, to say that responsible government is being given to India is a misnomer. We are not progressing forwards but backwards. This White Paper contains reactionary proposals. I believe many honourable members know that in the Pilgrims Progress there is a character called 'Mr. Facing Both-Ways.' That name quite aptly fits this White Paper. While on the one hand there is an attempt to placate the Indians, on the other there is a passionate desire not to part with a tittle of power enjoyed by the bureaucracy in India. In the guise of giving responsible government to the people this White Paper proposes to take away even the little responsible government that at present obtains in India.

There is not a single public man who has not condemned this White Paper; there is not a single public body or organisation which has not condemned it. There is no body which has received this White Paper with pleasure. But that is no reason why we should turn non-co-operators. Whatever has been given we should accept and work for more. Even if it is stone instead of bread that we have been clamouring for, we should take it, grind it to powder and make use of it. We must try to make the best of a bad thing and we must try to work it. It cannot be denied that this White Paper makes a considerable advance over the present constitution. It is not therefore proper for us to throw away the proposals like dust to the winds. We must try to work it. This is my advice not only to the members of this Council but to the people outside. With these words I resume my seat.

Sardar Arjan Singh : Sir, will I be allowed to move my amendment ?

Mr. President : Which amendment ?

Sardar Arjan Singh : The amendment to the motion before the House.

Mr. President : There is no motion before the House. In accordance with its decision on a motion the Council is discussing the White Paper.

Sardar Arjan Singh : The motion that was carried was to the effect that the White Paper should be discussed.

Mr. President : Yes, the honourable member's amendment was an amendment to that motion. It is not an independent substantive motion. However, if the Honourable Leader of the House has no objection to the honourable member's amendment being moved as a substantive motion, I shall have none.

The Honourable Captain Sardar Sir Sikander Hyat Khan : The honourable member can always bring into discussion whatever he wants to say. The moving of a specific motion will make no difference whatsoever.

Khan Bahadur Sardar Habib Ullah : May I point out that the House has decided to consider the motion put before it by the Leader of the House ? These amendments are to that motion.

Mr. President : The House has not decided to consider any motion. It has decided to discuss the White Paper. The motion that the Council may discuss the White Paper was moved, proposed, put to vote and passed unanimously. Neither of the two gentlemen, who had tabled amendments, rose to speak on the motion or to move his amendment. The motion was carried and discussion of the White Paper started in accordance with the decision of the Council. The only course now left to the honourable member is that with the consent of the Leader of the House, he may move his amendment as an independent substantive motion. I give my consent to his doing so.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Is it necessary for him to do so ? Why waste the time of the House ?

Khan Bahadur Sardar Habib Ullah : Sir, I want to make my position absolutely clear.

Mr. President : Now that it is conceded by the Leader of the House and agreed to by the Chair that the honourable member may move his amendment as a substantive motion, what more does he want ?

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) :
Sir, I formally move—

- That in the opinion of the House, the outline of the constitution Act as given in the White Paper falls far short of Indian aspirations for Dominion Status and that unless substantial changes are effected by the Joint Committee the proposed constitution will not satisfy any political party in the country. The Council, therefore, requests all Indian members of the Joint Committee to sink all communal differences and present a united front to the Government in England.

Before I discuss the merits or the demerits of the White Paper, I would like to say one word, and I hope the whole House will agree with me that the British Government as well as the Government of India or the Indian representatives sent from this country have sincerely devoted their time and energy and money to solve the most difficult problems of the day. But it is a pity that on account of our communal misunderstandings on the one hand and the policy adopted by Churchill and certain other dishards in England, on the other, they have not been able to achieve the results that we wanted to see. The results are so poor that even a moderate of moderates like myself is not satisfied at all. Now I will very briefly point out a few drawbacks as far as the federal government is concerned. First of all the question arises at what time the federal central government is going to be inaugurated. I will refer the House to page 4 of the White Paper where certain essentials have been fixed before the Federal Government will come into existence. Paragraph 12 says —

His Majesty's Government propose as the condition to be satisfied before the Federal Constitution is brought into operation that the Rulers of States representing not less than half the aggregate population of the Indian States and entitled to not less than half the seats to be allotted to the States in the Federal Upper Chamber shall have executed Instruments of Accession.

This is the one condition that has been made absolutely essential before the inauguration of the Federal Government. The second and the most important is as regards the financial aspect and I may refer the House to page 12 where it has been laid down that first of all a Reserve Bank should be established in this country, second that financial soundness must be assumed, third that the short-term credit should be substantially reduced and fourth a joint address by both the Houses. I submit that all these five conditions are precedent to bringing the so-called responsibility at the centre. As far as the consent of the 50 per cent. of the states is concerned, I will refer only to yesterday's debate on Bhakra Dam where the Government could not get the consent of just a few States even for a very useful project and I am afraid that it would be very long before they would be able to get the consent of 50 per cent. of the States in the whole of India. Even if that consent is obtained, there are the other conditions as regards the finance of the country. With regard to this I submit very respectfully that as far as the finances are concerned, they are not independently the concern of the Indian Government. They are so very intermingled with the world finances that people of this country have certainly no control over them. Therefore it will take a very long time, perhaps the proposed con-

stitution will never be materialised. Then I will refer to a very important passage in the White Paper. Paragraph 82, the last sub-paragraph, says —

It is a situation should arise in which all other requirements for the inauguration of the Federation having been satisfied, it had so far proved impossible successfully to start the Reserve Bank, or if financial, economic or political conditions were such as to render it impracticable to start the new Federal and Provincial Government—

Mind you this also refers to provincial governments and not only to the Federal Government—

On a stable basis, it would inevitably be necessary to reconsider the position and determine in the light of the then circumstances what course should be pursued. If, unfortunately, such reconsideration became necessary, His Majesty's Government are pledged to call into conference representatives of Indian opinion.

This is very important and I want to draw the attention of the House. If all other conditions have been satisfied and if financial conditions are not satisfied, then not only the central government will not have a responsible form of government but even the provinces will suffer and there will not be any provincial autonomy.

I will now say a few words in connection with the safeguards which are the ugliest feature of this Paper. The safeguards suggested are such that make responsible government absolutely a farce. May I ask if in any other country where there is any form of responsible government there are such safeguards or such powers as are proposed to be given into the hands of the Governor-General or even of the Governors. The Governor-General at the centre is going to have three kinds of special powers. The first is discretionary which he can use at any time with regard to any subject, reserved or transferred; the second is special. Every member of this House knows very well that special responsibility covers practically the whole area of administration. Even those transferred subjects which come under the centre will be covered by it. There is also the third kind of power with regard to the reserved subjects.

I will now say a few words with regard to the provinces because we are chiefly concerned with our province. Although it is said that all the departments will be in the hands of the Ministers, in fact they will be as little responsible to the legislature and as much responsible to the Governor as they are now. I wish the existing Ministers had been allowed to take part in this discussion.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Ministers are at liberty to take part in this discussion.

Khan Bahadur Sardar Habib Ul ah : Then I hope they will throw some light. The existing system, it looks to me, gives more power to the Ministers than the system which is proposed in the White Paper. According to the future constitution the Ministers will be appointed by the Governor and dismissed or removed at his sweet will. The legislature will have no power whatsoever. There are also special responsibility given to the Governor. As regards the provincial legislature, it will be absolutely powerless to carry out its will. Any piece of legislation that is passed by the legislature, howsoever, important it might consider it to be, the Government can with one stroke of the pen annul it. It is a very important point and I would ask the House to bear in mind that this is the form of Government which is going to be thrust upon us in the shape of provincial autonomy.

[K. B. Sardar Habib Ullah.]

Then again on account of the shortness of time at my disposal I am only giving the headings. I will point out to the question of the services. Just consider the condition of our poor Ministers in the future constitution where servants under them will be nominated or selected by the Secretary of State and the poor fellows having no control over them. They will not be able even to transfer them from one place to another. If a certain imperial service officer is not, in the opinion of the Minister, conducting himself properly or is not carrying out the policy of the Minister, the Minister cannot even ask the Governor to transfer him say as Secretary of a Local Board because under the Instrument of Instructions to the Governor, all these imperial service men must perform those duties that are allotted to them. His position will be absolutely awkward and I say that the position of the imperial service men will also be not very happy. There should have been special services under a contract system and the power to appoint all services whether provincial or imperial should have been given to the Cabinet and the Government of the country and should not have been left in the hands of the Secretary of State. I will finally summarise a few suggestions that I would like the Joint Committee to consider and specially the Indian members who may be invited to sit with the Joint Committee should bear them in mind. I would like the Governor's power to be curtailed so much so that (1) the powers of legislation given to Governors should be removed (2) that the power of ordinance should be exercised in consultation with the Ministers, (3) Ministers should be made responsible to the legislatures alone and should hold office as long as they enjoy the confidence of the House (4) the power of the Governors to certify items of budget disallowed by the legislatures should be removed.

Mr. President : The honourable member has expressed his views on the White Paper and also moved his amendment as a substantive motion. But I do not propose to state his motion to the House until the discussion on the White Paper is finished.

Sardar Arjan Singh : Sir, what is the net result ?

Mr. President : The net result is that according to its decision the Council will continue to discuss the White Paper and that the honourable Sardar Habib Ullah's motion will be stated from the Chair at the conclusion of the discussion. If the honourable member wishes to express his views on the White Paper, he is welcome to do so.

Sardar Arjan Singh [Hoshiarpur and Kangra, Sikh, Rural] ; Sir, Mr. Montague in a famous speech delivered in the House of Commons regarding the Mesopotamia muddle declared the then prevailing system of the Government of India as too wooden, too inelastic and antiquated. At that time Mr. Montague was an ordinary member of the House of Commons but later on when he was called upon to fill the post of Secretary of State, he was called upon to suggest ways in consultation with the then Viceroy, Lord Chemsford, in which that system should be improved and the result was incorporated in the Government of India Act, 1919. We are not here to discuss the merits or demerits of that Act as it has been worked for the last ten years or so. There is a provision in that Act that after ten years of the working of the constitution under this Act an inquiry will be made

to examine what changes if any, are necessary to improve this Act. It was in pursuance of that provision that the Simon Commission was set up. Four or five years have passed since that Commission held its inquiry. Thereafter followed the three Round Table Conferences but we are not yet in sight of the end of that inquiry. We were told at that time that this inquiry would be in a way an inquest, but five years have passed involving an immense waste of energy and of time and of money but we are not told how long it will take before it can be said that the new Government of India Act will come into operation. It was clear from the famous declaration of August 1917 which has been reiterated by the statesmen of England and which has been reiterated by the Conservative Government which was in office when the Simon Commission was set up, that the goal was the grant of dominion status or what is called responsible self-Government to India. We are now discussing the White Paper in which the proposals have been made about the future Government of the country and which will be laid before the Joint Select Committee before the Government can pass a Bill. In the proposals that are before the House we fail to find the word dominion status or anything showing the grant of self-Government to India. It cannot be said that this omission is by an oversight because it is a matter of recent history that we have had very interesting controversy over this question, over the preamble of the Act of 1919 because in some quarters it was interpreted as a definite promise on the part of His Majesty's Government to grant dominion status while in other quarters there was some other interpretation. But it is clear that the statement Lord Irwin made in 1929 made it quite clear that the British Government had gone a long way and it was not proper for the British Government to go back and that they would not go back upon the pledges that they had given regarding the grant of self-government or dominion status. At that time Lord Irwin was speaking on behalf of the British Government. It is therefore clear that this omission in the White Paper is very significant. It has been made with a view to avoid the controversy which once raged round this question and the omission therefore is very significant and cannot be lost sight of. That is a matter which I should make very clear at the outset. The terms of the motion that was moved yesterday in the House of Commons are not very clear, because it is not urged there that the British Government is committing itself to any set proposals and all that the British Parliament is at present called upon to do is to set up a Joint Select Committee to discuss these proposals. We, therefore cannot say that these proposals are definite or are such that any finality can be attached to them. As the honourable member from Sialkot pointed out these proposals are based on two foundations. First is the setting up of an all-India Federation. If my memory serves me well, before the delegates went from here nobody at that time dreamed that we would have something of an all-India Federation in which the component units would not only be the British provinces but also the States. It was for the first time in London that this proposal was mooted and it was given out that possibilities of an all-India Federation in which the States could also come should be explored. I believe some time was given to the Simon Commission to make their proposals regarding it. Further on at that time this question was considered to be very important and therefore this proposal was very forcibly pushed. But we see in these proposals that, that federa-

[S. Arjan Singh.]

ation is not yet in sight. So many conditions have been imposed that nobody knows when this will become a possibility. Nobody can say that it will come into existence at all. As I have received intimation that my time is up, I shall resume my seat.

Mr. E. Mayadas (Non-official, nominated) : Some days ago in the newspapers we read about the White Paper and since then remarks have been appearing in the newspapers about it. This Paper has been prepared by the representatives of the British Government. It is strange to note the opinion that some people have formed of the British Government. Some people say, this Government is strong, it is powerful, it is artful and it has no hesitation in trampling over the weak. If that be true, where is the need for discussing this Paper and where is the need for asking or expecting anything. On the other hand, is this view correct? What does history tell us? History tells us that like other nations the British people too have their faults and are liable to make mistakes. But have we ever seen any large tree growing to a great age that did not have very strong and deep roots? In the same way, have we ever known any institution to stand the test of time that did not stand on very good and strong foundations? If it is true that this Empire has stood longer than others, then we must admit that its foundations consist of material in which there is a considerable proportion of truth and justice. We have heard it said that the British Empire is one on which the Sun never sets. I have here a postage stamp which tells a similar story; it was issued by the Canadian Government. On this stamp there is a map of the world and underneath is written "We hold a vaster empire than has been". If these things be so, then we should be careful how we treat suggestions coming from such a quarter. Let us face facts.

It was in the year 1849 that the Punjab was annexed and during the last 85 years a barren waste has been converted into a granary and the warring factions have been converted into a peaceful and industrious people. The reforms came in 1921. After ten years the next step was to have been taken. First one Round Table Conference, then a second Round Table Conference, and after that a third Round Table Conference, were held. The last Conference was at first not considered necessary but Indian opinion prevailed and the British Statesmen gave way. Had the White Paper which has been issued now, been issued without holding a third Round Table Conference the case for protest would have stood on better ground, for after all the proposals of the third Round Table Conference are not the outcome of arbitrary will but are based upon the findings of the previous conferences, and consequently one who protests against the findings is not standing on very good ground. The Premier had offered the communities to frame proposals themselves, but in doing so they forgot the size of the pudding and they measured out slices which were far too large and not only that, but some of their proposals were also antagonistic. When the communities failed to arrive at an understanding the Premier was requested to arbitrate, his task was not an easy one.

Mr. President : Objection is taken that the honourable member is reading a paper.

Mr. E. Mayadas : No, I am speaking in consultation with my notes. The Premier was anxious to find a formula by which he may be able to please every community if possible, but that was an impossibility. He was therefore compelled to work out a formula which should cause the least dissatisfaction. At the same time he says : It is open to you to frame something better. And if we could do so he would say " All right, have it ; and you have also my blessing ". How can we under these circumstances attach any blame to the Premier ? He has done his best.

It is a well known fact that whenever you go to any bazar in India to buy anything you have to be very careful as regards the price you pay, for, very often the price asked is from double to four times the real price which the seller would readily accept. It is unfortunate that it is true, but all the same, can we hide from ourselves the fact that the demands that we are making are perhaps a trifle more than what we are really prepared to accept, and perhaps it would be possible to the demands being reduced and a common understanding arrived at? This is the time when all communities should meet for a calm and close examination of this great problem, but in doing so we must not forget certain well accepted principles. For instance, " Do unto others as you would like to be done by " and " Try to do the maximum good to the largest number. " If weightage is to be given to the minorities by their population let that be observed in all cases. But if in any case instead of giving this weightage even the due share has been decreased, then I beg of the House to consider whether that should not be rectified.

No Indian Christian was sent to the Round Table Conference but we have accepted this quietly and have not complained. If any community can complain or criticise the Third Round Table Conference perhaps the Indian Christian community was in the best position to do so. But they have not done so. On the other hand we are out to co-operate to the best of our ability. We are ready to endure hardship rather than seek hot-house protection, for in the end it is the fittest that will survive and the hot-house plant will wither away when exposed in the open. This is a law of Nature and cannot be broken. This is a time for persuasive language rather than hurtful criticism. Let us therefore endeavour to unite and when we are ready the Premier will no doubt be ready to give us his approval.

These are days of scientific invention. Let us try to learn the lesson which science is teaching us. These are the days of long distance aeroplane flights, and long distance telephones. What do they tell us ? They teach us to take an interest in our brethren who are living thousands of miles away. Should we not be more inclined to take a greater interest in the brothers living right at our doors and give his case the utmost consideration we are capable of. We should therefore be more willing to hear each other's point of view and more willing to give in. I will make mention of one little story I read a long time ago. It was about two goats. They happened to meet on a tree which was lying across a nullah under which there was rushing water and they had to cross it. For a few seconds they stood facing each other, then the bigger and more powerful goat lay down and allowed the weaker one to pass over his body, and then he picked himself up and also went across. If the goats had begun to fight then probably they both would have fallen into the stream. This story has a great lesson for

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us all, and is worthy of our consideration. When occasion arises my community, weak as it is, will never resist but always give way.

I have here the picture of an envelope on which a great man on a great occasion wrote as follows :—" Without God I cannot succeed, with God I cannot fail ". Now it is for us at this great juncture to seek God's will for if we all seek His will we will certainly unite and all differences will disappear, and we shall certainly succeed. With these words I shall resume my seat.

Mr. Owen Roberts (Non-official, nominated) : The motion moved by my honourable friend the member for Lahore rural constituency has one great value in that it expresses very succinctly the obvious disappointment that the publication of the White Paper has caused. And I may go so far as to express my sympathy with this disappointment without in any way committing myself to agreement in the matter of details as to its causes. But I will follow my honourable friend at any rate in one matter. He went out of his way to express his thanks, or our thanks rather, to those who have taken the trouble to devote their time, labour and in some instances their money also, to threshing out these questions in our interest. I will go a step further than that and express the great obligation that we are under to the honourable member who opened this debate. He has served us faithfully and truly and his presence here to-day and the very lucid explanation that he gave us has, if anything, added to our obligations. When I entered this chamber this afternoon I understood nothing whatever about the relations that are projected between the Indian States and the federal government, and I do not pretend to any great knowledge now as the subject has always puzzled me, but I have come to one very definite conclusion after hearing the honourable member's explanation and that is that the new Constitution Act should lay down very clearly that no member of the Indian States should be permitted to take part in debates or in the voting on any subject connected with British India. If they are allowed to take part in debates and vote upon, obvious injustice would follow as a result of the inequality of the projected partnership and against this, I think we are entitled to protection.

Coming to our own provincial matter, frankly I am disappointed at the position given to Ministers in the new constitution. We have debated this matter on innumerable occasions during the preparation of the provincial report of the Reforms Committee and the recommendation made in that report, I think I am correct in saying, was that there should be a cabinet of Ministers with real authority and with joint responsibility. I have searched the White Paper carefully for mention of this last subject and I see no mention of joint responsibility at all. I need not express any views on the remainder of the recommendation because obviously a body of Ministers who are a council or an advisory body to aid and advise the Governor is very far short of the constitutionally formed cabinet of Ministers exercising definite powers. In the matter of joint responsibility I think we are letting a great opportunity go past, because it seems to me that nothing that we can devise will do more to avoid and disperse our communal troubles in this province and elsewhere in India than giving joint responsibility to Ministers. The legislatures will soon learn that they cannot afford to be

communal. If they are going to risk the fall of ministries and consequent new elections two or three times a month, they may give vent to extreme communal leanings, but if they wish to avoid these disruptions they will find that they cannot afford to have these communal divisions and that they must pull together. On the point of safeguards I have only to say that I believe in the necessity for a thoroughly sound and properly constituted overriding authority. And I also think that every necessary power should be reserved to that authority to make it effective. I do not think that an effective overriding authority necessarily means that there is no self-government. Between a constitutionally appointed Cabinet and a sound overriding power there is a very wide field for the establishment both of constitutional practice and precedent.

By this means you will on the one hand build up the authority of your Cabinet and on the other clarify the responsibilities and functions of the overriding power.

On the subject of safeguards I have a complaint to make from the point of view of my own people. In proposal 101 the gist of which is that in the matter of grants-in-aid for education of the Anglo-Indian and Domiciled European community it is laid down that no change may be made unless three-fourths of the Council agree to that change. This I object to most strongly. There is the ordinary protection of the Governor in his Instrument of Instructions under which he is obliged to safeguard the interests of minorities and I feel that the moment you attempt to lay down conditions in this way you deliberately remove the subject out of the category of "special responsibilities" and leave it exposed to the action of the legislature.

Chaudhri Zafrulla Khan : This was done at the special request of the representatives of the two communities.

Mr. Owen Roberts : I am not prepared to admit the wisdom of it. I think it is a most unwise thing for any body of persons to put themselves in a position where they lose the advantage of the general safeguards.

There is another matter which relates to us as a province, and that is a very important matter. I would ask the members to refer to List I Appendix VI, item 12. It will be noticed that "railways" is a Federal subject. Under List III item 8 (e) "carriers" is made a subject on which there is concurrent legislation. I would like to ask, Sir, what a railway is if it is not a carrier? It is of the very greatest importance to us in the province that we should put our house in order in this matter and it cannot be lightly dismissed by saying that the Government of India will be looking after railways and can be written to when matters go wrong.

There are matters relating to railways which provinces have a very definite right to control. With your permission I will read out a few points for the consideration of our friends who are going to London. The number of passengers to be carried in a railway carriage is a matter for provincial regulation. We have all seen how badly overcrowded railway carriages can be and we ought to have authority to deal with it provincially. The provincial Government should also be able to require a service to be run when in their opinion such a service is necessary and can be justified from the point of view of cost, and here perhaps appeal might be allowed to an in-

[Mr. Owen Roberts].

dependent body. Then there is the question of public safety. Railways should be required to provide over-bridges at their own cost in any place where their lines cross a public road when the provincial Government declares that in its opinion an over-bridge is necessary for public convenience or safety and in this matter the orders of the provincial Government should be final.

Coming to financial relations, railways should pay for all services rendered to them by provincial authorities, police for example. Further the provincial authorities should have power to call for at the expense of railways and make public, statistics regarding movements of trade within the province and also into and out of it. And lastly, Sir, provincial Governments should have power to institute enquiries into any matter concerning the welfare, agricultural or trading interests of the province in connection with railways and have the further power to compel the attendance of railway officials to give evidence and to procure the production of documents for the purpose of eliciting information and to require railways, provided the demands made on them do not affect the rights of other provinces, to take such measures as the results of the enquiry may direct.

These are common-sense precautions. We are coming to a time when we shall be responsible for our own welfare, and I think the railways should to a large extent be a provincial subject.

Khan Bahadur Mian Ahmad Yar Khan Daultana (Muhammalan, Landholders): Sir the leader of my Party will discuss the details of the White Paper and I stand up now only to make one or two general observations. The White Paper, as we all know, was published in this country about a week ago and several opinions have been expressed about it. Some call it White Paper, others call it black paper, but, Sir, I would neither call it white nor black, but I would call it a grey paper. To make myself clear I would give it the colour commonly known in the tailor's term as "pepper and salt" colour. In this document there is a sufficient amount of salt which is not distasteful to various sections of the country but the mixture of the pepper in it is not in proportion to the salt (*An Honourable Member*: Too much ginger!) and along with the disproportionate pepper there is unfortunately an unevenly mixed quantity of Indian chillies. The British Government as should have been expected did not devise a *via media* between the claims of the most advanced school in this country and the reactionary opinion in England. What they have done is that they have steered a middle course between the claims of the moderate Liberals of this country and that of the die-hard conservative element in England, and consequently it has failed to satisfy any section of the population in this country. I feel that the White Paper is not at all an improvement on the Simon Report, but is definitely a more conservative step. The relation of the White Paper to the Simon Report is the same as the relation of our present Municipal Bill to our old Municipal Act. If one were to study the White Paper very carefully he would come to the conclusion that the main features of it closely follow the decisions arrived at in the Round Table Conference, and for those decisions I feel that unfortunately we ourselves are responsible to a great extent and the blame that I can place on the British Government is this that they have tried to

take the fullest possible advantage of our discords and dissensions, which they as rulers ought not to have done.

Now, Sir, my friends on this side say that in the future constitution my class or my party will form the majority and if they are true it does not become me to speak at length about the safeguards which is the most striking feature of the whole document. I would restrict myself to the provincial sphere only. The wide powers that are given to the Governors are such that it would be difficult for any Governor unless he is a super-man to use them and at the same time reconcile his position as a constitutional monarch.

Chaudhri Zafrulla Khan : It would be very helpful if you try to tell us in what way you wish them employed and how ?

Khan Bahadur Mian Ahmad Yar Khan Daultana : I have already said that I being a member of a party or a community who by us is expected and by others is feared to form the future Government of this province should not say very clearly as to how those powers should be modified, but as our representative on the Joint Parliamentary Committee has requested me I would—.

Chaudhri Zafrulla Khan : I do not think that description fits me. Just say member from Sialkot.

Khan Bahadur Mian Ahmad Yar Khan Daultana : I want to give every possible safeguard and protection to the minorities without making our constitution unworkable. If we can make our constitution workable and form a constitutional Government I would not grudge the safeguards that the minority communities may claim. The position as far as I feel with the experience that I have of a provincial legislature for the last few years is that unless we improve the position considerably our next constitution cannot work on democratic lines. No doubt it depends upon the future Ministers. Even with the presence of this White Paper if we have a team of Ministers who can put up a team work or who command the confidence of the majority of the House it will not be impossible for them to work the constitution. But what my unfortunate experience in this province is that the position is going to be somewhat different in future from what it has been in the past. The attitude of members in this province, however national in their past life they might have been, suffers a sudden change. When they come to this House they forget all about the past and their only desire is to make it difficult for those whom they do not wish to be in power and very often act in a way which is quite inconsistent with their past creed and is contrary to their honest inclinations. In the future we will have nearly an evenly balanced opposition as compared with the ministerial party and if the Governor and the minorities make a common cause, it would be very difficult for the ministerial party to function. One thing I very particularly wish to mention and that is this. In this province if you have the same amount of safeguards, it will be difficult for those Ministers who have got other stakes in the country than that of their ministership, to carry on their administration. We all know that the Government is less afraid of and cares little for those who have got a stake in the country. They feel and perhaps not wrongly that it would be difficult for them to offer a deliberate challenge to Government.

[K. B. Mian Ahmad Yar Khan Daultana.]

Therefore, if we have a team of Ministers in the beginning who have a stake in the country, it will not be possible for them to exert their influence so much as would be possible for those Ministers who have absolutely no stake or have less stake in the country or for whom the peaceful conditions of the province will be no more useful than anarchy or who flourish better when there is discontent and unhappy relations between the rulers and the ruled. To quote one instance, supposing we have got a team of Ministers whom their party has given a definite mandate about a particular problem, and they cannot make the Governor agree with them. It will not be easy for those responsible persons to resist the Governor or threaten him to take the drastic action which they ought to have taken in the case of a deadlock or a serious friction. What they would do will be to come back and tell their party, "we tried our best, but the Governor does not agree." It will happen once, it will happen twice. But the third time some of our nationalist members will say, "these people do not as a matter of fact plead the cause of their party. If you give us a chance in the cabinet we will get things done." They will have little stake in the peace of the province except their ministry and they will do everything in order to retain their ministry or create disaffection and the result can be much better imagined than described. I do feel that such extensive safeguards will only popularise those Ministers who are not moderates or liberals, but are extremists. If the future Governors insist on using their special powers—and they will be made to do so by the minorities of this province who have everything in common with the extremists and whose policy is more akin with the Congress than with the real moderates—the Governor I am afraid will only realize the game when it may be too late and when the masses begin to feel that only extremists can save them—I am afraid that the power will go into undesirable hands—in this way and the moderates will stand discredited. I may be absolutely wrong. I was told by some of my friends not to give this view of mine on the floor of the House. But I feel it my duty as a representative of a class which has a very big stake in the country to voice that view here. With these remarks I resume my seat. Leader of my party, Chaudhri Chhotu Ram will explain our views about the high courts and other important matters.

Dr. (Mrs.) M. C. Shave (Nominated, non-official): I had not intended to take part in this debate, but the intervention of the member for the European trading community has made it necessary for me to speak. We have suffered at these people's hands through their active hostility and passive neglect and that they should come in now to claim protection for Anglo-Indian education astonishes me.

We people realise that we have come to the parting of the ways. (Pause). We have decided to trust India. It is not easy to say this. There are traditions and sentiments we have cherished which we feel are being outraged now. (Pause). But we have decided to trust India (pause) and I repudiate the championship of Mr. Owen Roberts.

Khan Bahadur Shaikh Din Muhammad (East and West Central Towns, Muhammadan, Urban): It is not possible within the prescribed time to touch even the fringe of those important matters that deserve consideration in connection with the White Paper. We are extremely grateful

to the honourable member for Sialkot (Chaudhri Zafrulla Khan) who has very clearly and lucidly indicated all those serious points which should engage our attention this afternoon. We have, however, drifted into wrong channels. The most important question that needs consideration at our hands even at this late stage is, why these Indian States should federate with British India at all, and then why on this unequal footing. We have nothing in common with these Indian States beyond the bonds of allegiance to the same Crown. The State territories are not governed by constitutional rulers. No self-governing institutions exist there. The people of those areas do not enjoy any privilege whatsoever that a civilised human being should enjoy. They have no freedom of speech and no freedom of association. They are absolutely devoid of all those amenities which we enjoy under the British Government (*hear, hear*). Why, then, should the unbroken colt of the States be yoked with the trained horse of British India in running this cart of self-determination. This is really beyond my comprehension. All authorities on constitutional law have laid down that the federating units must first see the possibility of being mutually benefited before they federate. Where is the benefit that will accrue to the British India if the States are inflicted upon us in this manner? They are not to be mere ornaments of our legislatures but to be actual meddlers in our administration. We know that at all times these rulers of States have resented any interference even on the part of the Viceroy in the internal administration of their territories. On the one hand this is the self-respect they show, and on the other the British India is expected to accept the degradation of agreeing to have them as equal partners on this unequal basis. While our elected representatives will have absolutely no voice in the administration of those States, their nominated representatives will under the constitution be able to interfere in our administration. Where lies the wisdom in having such provisions in the White Paper? Again, it has been clearly indicated in this White Paper that for all the privileges that the rulers of the States would thus receive, they would condescend to surrender any subject that they desire from among the heavy list of federal subjects. This again is most anomalous. Unless it is to our interest that the States should federate with us, why inflict this ignominy on us? One ruler of a State might say that he would surrender only one item, another might say that he would surrender only two items, while all such rulers will be entitled to send representatives to the tune of 33 per cent. for the Lower House and 40 per cent. to the Upper House. Again, as has been pointed out, the representative of the State will have a place in the federal executive. What for? He has no business to administer British India. He has no connection with those matters which are not at all federal. He may very well adorn the federal court where federal questions are going to be adjudicated upon but he has absolutely no claim on the federal executive of British India.

Then, the question of contributions and the question of immunities^s come in. Here again, British India stands to lose. The White Paper^r lays down that the federal government would be compelled under the circumstances to abolish some of those contributions to the federal revenues^s to which it would otherwise be entitled. As a counterpart to this, credit should be given to some States which ceded territory to the Crown, the basis

[K. B. Shaik Din Muhammad.]

for determining the amount being its net revenue at the time of cession. This is a condition to which the British India should never agree. Similarly in almost all other provisions which relate to the federation of the States, we clearly see that India stands to lose and not to gain. On what constitutional basis, then, can the British Government expect the British India to settle this question of federation, especially when we find that this weapon is being employed to protract and to delay the introduction of federation in India? The condition precedent is that half of the States should condescend to sign the instrument of accession and to join our federation before federation will be introduced. We have seen what has been going on in the Chamber of Princes. The Chancellor stood up to denounce the idea of federation in very strong terms. His Excellency the Viceroy had to intervene. Some of the princes support the idea of federation one day, and the very next day, they slip away. Such are the people with whom we are expected to federate and it is on their will and pleasure that the question of Indian federation depends. What an irony of fate! If the British Government is sincere in introducing federation in India, let the British India federate first and let the States develop themselves to the level to which we have developed ourselves. Let them come on equal basis with us. Let them introduce free institutions in their States. Let them grant to their subjects the same privileges and the same rights which we enjoy here. Let them be as good human beings as we are. Then and then alone we can join with them as equal partners in the federation. We would then open our arms to receive them. But unless this is done, it is most illegal, most unconstitutional and most unjust to federate Indian States with British India. It is on this excuse that federation is being thrown out to the remotest possible chance. Sir, this is one of the gravest problems that affect our constitution and I am really surprised to see that none of the speakers so far has addressed himself to this important problem. We should as a body protest against the federation of British India with the Indian States.

There are several other minor problems which are involved in the question of federation with which we are not at present concerned and which might be dealt with by the Joint Parliamentary Committee that sits in England. But while discussing this federal affair, I cannot help remarking how it has been considered just on the part of the British Government to provide that it would be the Federal Government that would issue instructions to the High Court as to how they have to determine and regulate their administration. The subordinate judiciary would be subordinate to the provincial high courts. The provincial high court as well as the subordinate judiciary would be paid from the provincial revenues. But the instructions as to how the powers of superintendence would be exercised by high courts over subordinate courts would be issued by the federal legislature. I fail to understand how any reasonable person could be responsible for this proposition. If we pay the piper, we must call the tune. The subordinate judiciary would belong to the provincial service and would be recruited by the provincial government. The instructions, therefore, must issue from the provincial Government and not from the Federal Government.

So far as these two points are concerned, I hope that my honourable friend Chaudhri Zafulla Khan would support our wishes in the matter when he attends the deliberations of the Joint Parliamentary Committee.

Sir, so far as the provincial Governments are concerned, the only question worth consideration is the question of safeguards. It is really very disappointing to see that these safeguards will be brought upon the statute book but who is responsible for their existence. We cannot deny that the picture of disunity and discord that we presented in England was mainly responsible for the introduction of some of these safeguards at least. Some of them might be constitutionally necessary, and cannot therefore be taken exception to. But a few of them cannot at all be accepted. My honourable friend on my right enquired from Mian Ahmad Yar Khan as to what modifications he would suggest. Any number of modifications can be suggested if he cares to listen to them. During the last seven or eight years that I have been a member of this Council I have never seen His Excellency the Governor being compelled to exercise those powers in relation to this legislature with which he has now been invested. He has been given an authority to order that any legislation in hand should not proceed further and the legislation that is proceeding would stop. He has been invested with power to issue legislation from his own Government House and to communicate it to the legislature for adoption as the law of the land, and the legislature shall have no voice in the matter. Three ministers have been administering the transferred departments during the last eleven years or so, and sponsoring legislative enactments. Was such a safeguard in any way considered necessary during this period? Have our ministers or our legislatures so misbehaved as to justify this power being given to the Governor in such wide terms? A modification of this safeguard is most necessary. The Governor has been invested with the power of veto. He can withhold his assent to any legislation. Then why inflict such a harsh safeguard which may not at all be necessary?

There are many more things that deserve consideration and I shall be grateful if you allow me a few minutes more. An honourable member has remarked that we have been given polished stones and that we are not satisfied with them. But I would ask the honourable member to consider what the poor plight of that host would be who has to cater for 12 different tastes, all mutually exclusive, who is expected to respect the religious susceptibilities of every one of his guests and to meet the wishes of all. Does he not think that the safest course for him to adopt would be to serve polished stones so that acute hunger might tone them down and bring them back to their senses and mutual toleration? When everybody clamoured for safeguards—I do not blame any one community—the safeguards were bound to come. Real self-government is ordained for that country only which has one self to govern, one predominating idea, one common goal to which everything else is subjugated. But in this country where there are so many selves seeking Government, when there are so many predominating ideas, all based on selfishness, where every community carries its own goal in its pocket and seeks to sacrifice everything else at its altar, how can we imagine that we can have real self-government, that transfer of power, which is unattended by safeguards and unprotected by checks?

[K. B. Sheikh Din Muhammad.]

Sir, my advice to my countrymen would be to reform themselves, before they seek reforms. Considered from the point of view of what this White Paper could have been, nobody can say that it is not disappointing. But if you study it in the light of the conditions that prevail here, in the light of the circumstances under which it has come into existence, from the point of view of what it should be for the present, how can we say that it is reactionary? First deserve and then desire.

Lala Labh Chand Mehra (Non-official, nominated) (*Urdu*): Sir, the official document called the White Paper has now been before the country for about a fortnight, and as a careful student of all that is happening in the country, I have perused the huge mass of comments and criticism poured forth from all directions on the views contained therein. Before I had an opportunity to study the White Paper itself and after a perusal of the opinions that had almost simultaneously appeared in the Press with this document, I was rather alarmed that a catastrophe had taken place, and that something serious had really happened which had blighted the hopes of all, since almost every leader of note, every politician, whether a moderate or an extremist, had expressed the greatest dissatisfaction with this White Paper. Some of them went so far as to say that, truly speaking, it was only a *white* paper or in other words a blank paper. There were others who thought that White Paper was a misnomer and it was, really speaking, a *black* paper. That was not all. Some of the worthy politicians whose opinions had appeared in the Press had said that even the most moderate of the moderates could hardly find satisfaction in this document. That induced me to the study of the document itself and in the meantime the atmosphere having calmed down a little, there appeared the opinions of two eminent leaders, whose services to the country stand out unique and whose patriotism can hardly be doubted by any sane person, whether in this country or abroad, namely Sir Tej Bahadur Sapru and Mr. Jayakar, who have no doubt found the document materially defective but have still urged the need of constructive criticism. Now may I venture to ask, if all the scathing criticism that has appeared so far put forward any suggestions that could be described as constructive criticism? None in this House would answer this question in the affirmative.

Sardar Buta Singh: We should like to hear a constructive criticism from you.

Lala Labh Chand Mehra: Really speaking what is this White Paper? It is the outcome of the labours of three Round Table Conferences, and it will be admitted that by far the most important work was done at the third Round Table Conference. Sir Tej Bahadur Sapru had himself described the work of this Conference as more practical and business-like. Many other Round Tablers had endorsed this view on their return from England. When the outline of the Conference was officially published two months ago a mixed reception was given to it. A section of the country which is now accustomed to view with suspicion anything and everything which emanates from official sources can hardly be satisfied, even if complete independence were proclaimed this minute because then, too, ordered Government will not be possible without giving dictatorial powers to any one, whom the country elects as its President. Have we not seen enough of these dictators and

dictatorial powers? It has to be admitted to one's sorrow that to-day democracy has proved a failure, a miserable failure, in some of the most civilised countries of the world. Russia, Italy and Germany are some of the examples in point.

Shaikh Muhammad Sadiq : And England?

Lala Labh Chand Mehra : I am coming to that. The latest to follow Mussolini is America, whose system of Government has been the envy of the nations of the world. Naturally the question arises which country has withstood this storm? The answer is not far to seek. The British Government has weathered the storm. Why? Simply because British patriotism has stood above every party faction, every personal jealousy and every difference of opinion. The special responsibility vested in His Imperial Majesty the King Emperor has stood the country in good stead.

The White Paper seeks to establish a similar constitution in this country. It sets out to try the experiment of democracy, not the unbridled democracy of the west, a system wholly unsuited to the countries of the orient but a democracy tempered with adequate safeguards.

Sardar Buta Singh : On a point of order, Sir. Is the honourable member discussing the White Paper or is he giving us a sermon on democracy.

Mr. President : Which paragraph or aspect of the White Paper is now being discussed by the honourable member?

Lala Labh Chand Mehra : The whole of it. (*Laughter*).

Mr. President : I will request the honourable member to speak on the White Paper.

Lala Labh Chand Mehra : I want to discuss those safeguards which have been provided in the White Paper. These safeguards are not to be utilised for the purpose of exploitation but in the interest of the country and her people. No prudent Governor or Governor-General could ever utilise his special powers against the wishes of his ministers and advisers without giving very strong reasons for it. That emergency has never arisen even under the present less liberal constitution. Punjab's case should be before every one's eyes. The Governor and his ministers have hitherto lived like a happy family and the Punjab is proud of having successfully worked the reforms, an example which was later on followed by all the provinces of this country.

Considerable attack has been directed against the safeguards. Let me examine how far those safeguards are necessary. For the purpose of this debate I shall not go very far. I shall confine my observations to this province alone. If you only look at the list of questions put in the House you will have to admit that 99 per cent. of them are communal and sectarian. Only the other day my friends of the zamindar party wanted the transfer from civil courts to the collectors the execution of all decrees involving the alienation, temporary or permanent, of lands belonging to the agriculturists. This is clearly an index of their mind that they are prepared to entrust the use of extra powers to the deputy commissioners many of whom are European gentlemen, in preference to their Indian judiciary. This is by no means a compliment to the powers of Indians connected with the administration of the province. (*An honourable member :* The honourable member is reading from a paper) No. I am consulting the notes.

[Lala Labh Chand Mehra.]

Apart from that, to our great misfortune the communal situation has not entirely cleared so far. There is a feeling of distrust and each community is apprehensive of the misuse of power by the other. That way the fault lies in us. We have been crying hoarse over the communal *raj* in this province or that. Many of us have gone so far as to assert that we do not want any reforms if the super-structure is to be built on the communal award. Many others wanted wide powers to be vested in the Governors and the Governor-General in order to safeguard the interest of the minorities from the tyranny of the majority communities. Amidst these conflicting views what could the British Government do? They have done what they thought was best under the present circumstances. If we do not like the White Paper, if we do not want any powers to be given to the Governors or the Governor-General, it is up to us to prove our *bona fides* and convince the Government that we really do not stand in need of them. Unless we set our houses in order there is little chance of unadulterated democracy being worked with success. Instead of retracing our steps after a failure it is better not to launch on this hazardous experiment. There is still an opportunity for us to improve this constitution as contained in the White Paper. This is to be thrashed out before the Parliamentary Joint Committee. But any modification or change will be only possible if we first set our own house in order. I observe that the time allowed to me is over. I shall not take up any more time of the House and I shall accordingly resume my seat.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban) (Urdu): Sir, I am reminded of the case of two dogs which were crouching in a mosque. No sooner did the *mulla* catch sight of them than he belaboured them with thick sticks. The poor creatures cried, "O! holy man, why dost thou beat us so mercilessly, we who are faithful and loyal servants of our master. Why should you of all the world grudge us a moment's repose in the comfortable corner of a temple of God?" "Ay," said the *mulla* waving his cudgel above the head of one of the cowering creatures, "despite all your faith and fidelity for your master you well deserve this treatment. Are you not the same creatures who fight amongst themselves and begin to snarl malignantly at the very sight of a fellow-being? So long as your mutual malice and hatred continues you can never dream of receiving a better treatment from anybody than that which has been meted out to you by my just and God-fearing hands." It is a matter of immense grief and pain for me to note that much the same has been the fate of these dogs of the two communities. Nay, even they are worse than the meanest animals, since they are endowed with reason and brains while these things are denied unto the baser creatures of God—the lower animals. There is no denying the fact that so long as the Hindus and the Mussalmans continue to fight amongst themselves no paper containing proposals for reforms—no white, blue or red paper—will restore peace and calm in this country and meet our requirements. I have no doubt that the moulding of our destiny is in our own hands. It is we who can make the British Parliament issue a White Paper or a Black one to meet our demands. It all depends on our own attitude. I am certain that only if we could sink our petty differences and could work hand in hand like friends with one accord and

with one heart, we could very easily have issued our own White Paper giving a constitution of whatever kind we demanded. No honest man would ever ignore the follies and frailties of his own brethren while discussing the White Paper. But at the same time I cannot refrain from pointing out that it was not fair on the part of the British Government to have gone back upon their promises regarding the award of self-government to India, that were incessantly held out from 1857 onwards. They ought not to have taken undue advantage of the minor internal dissensions of their subjects. Need I point out to the Government that the time has come when Governments all over the world are laying down reins of absolute authority and giving greatest measure of autonomy to the people. How long, I ask, will the British Government go on refusing the people their legitimate rights? The British statesmen will do well to understand that it is high time that their Government should also make a move towards satisfying the popular demand. The policy of perpetual abeyance cannot last long. If we get reforms in accordance with the proposals embodied in this White Paper we will not sit idle for a single moment but will remain clamouring for more powers. So, if a section accepts the White Paper to-day, we will surely make a brown paper of it by to-morrow, that is, we will make it null and void and will demand advance of many a step forward. Let the Government understand it once for all that nothing short of freedom and liberty equal to that of other dominions can satisfy us. We do not want to be enemies of England; we want to be her friends. But our friendship can only be based on mutual trust and England's willingness to recognise our equal rights and liberty. But what has the Government proposed to ensure in the White Paper? Unbridled, unlimited and absolute authority for the Governor with complete and unquestionable powers to make or to break laws, to appoint or to dismiss highest officers. He will be all-powerful and there will be absolutely no check on his authority from any quarter whatever. He will in fact be a political porcupine who will be capable of thrusting his spines unrestrainedly wherever he might chose and nobody will be immune from his prickly pokings. Not only will the ministers remain in office during his pleasure but even the legislature will not be in a position to enact any law without his express consent; but he will have the power to enact laws behind the back of legislature, a power he does not now possess. In short the fourfold outcome of a constitution based on this White Paper would be, a Governor all-powerful, a legislature helpless, ministers powerless, and country absolutely restless. The sooner the Government are relieved of this misunderstanding that the White Paper has satisfied the aspirations of even an insignificant section of Indian people, the better. The Indian people wonder if the White Paper is the result of all those solemn promises which were continuously held out during the last ten years. There are at the present time, two roads open before the Government. One leads towards a situation similar to Canada and the other to a state of affairs identical with that of Ireland. Now it is for the British Government to see whether they would like to make a Canada or an Ireland of India. We, on our part, have very great aversion to India's being suffered to play second fiddle. Majority of us want to be equal citizen with England. Nothing is farther from our mind than a desire to maintain an obsequious adherence with England, yet we look forward for that day with unbounded avidity when England will recognise in India an ardent, affectionate and last but not

[Sh. Muhammad Sadiq.]

the least an equal friend in a united commonwealth of British nations. India has no spiritual connection with England. Her connection is only material. And the material connection can prove of a permanent nature only if it is founded on mutual good-will. In spite of all the storm of opposition raised by so many Churchills and O'Dwyers England should learn to sympathise with the legitimate aspirations of India. She should not forget that it was due to the advice of the die-hards of a similar type that the Irish people were persistently denied their just right of self-government, and the struggle ended in a huge loss to the power and prestige of Great Britain. Will not the conscientious English statesmen tear a leaf out of the history of their own country and expediently refrain from consenting to the adoption of such proposals with regard to the future constitution of India that may eventually result in injury to England? Sir, the topic demands a thorough discussion and I do not think that I would be able to do full justice to it within these fifteen minutes which are at my disposal.

My honourable friend who was a delegate to the Round Table Conference while discussing the White Paper to-day has like an able lawyer skillfully refrained from expressing his personal views on the subject but he laid emphasis on a great number of clauses which has given us some clue into the real merits of the constitution outlined in the White Paper. I fully associate myself with the remarks made by the honourable member from Gujranwala. Surely the future federal legislature would be a perfectly ridiculous body. It would certainly play second fiddle to the authorities in London and in Simla. These authorities would be pulling strings every now and then from these places and the legislature shall have to act accordingly. Of course we would not be so unwise as to reject the proposed constitution altogether, but we would work it in a manner that Government would be compelled to yield. If to-day Government grants what this country demands it would be for its own ultimate advantage, for in that case England's trade is sure to flourish. We do not say that Government should provide no safeguards for the protection of minorities or other special interests. Let them have safeguards but they must be reasonable. If you look at the schedule you will find that there are certain services on which you would have absolutely no control under the new constitution. That is ridiculous. This is no self-government. As a matter of fact we have yet to pass through the ordeal of fire. We have still to make sacrifices. England must know that she cannot keep this country in bondage for long. The day is not far off when she will have to yield. At present you are scoffing at us. You say that India is dis-united. You say to the world that Indians are quarrelling among themselves and are therefore unfit for self-government. But you do not know whither the wind is blowing. You will see India united within a short period. Then, would it not be advisable for you now to grant the Indians what you will be compelled to give by force of circumstances a few years hence? I or the honourable member from Amritsar who has just spoken may not have courage to flaunt Government but the younger generation will not put up with the present system. You say that you are not prepared to take risks in handing over the real power to the Indians. But I ask, is there no risk in marrying? (*Laughter*) Is there no risk in driving a motor car or

using an aeroplane? Were there no risks, when Britain fought Germany and poured all its manhood in the fighting arena? Then, what do you mean by risk? I tell you that Indians are quite prepared and willing to take all sorts of risks. It appears that you have not been able so far to know the nature of Indians. We fall out with one another at one moment but at another moment you will see us reconciled. Raja Sahib is going to read out a statement on behalf of his party and we are going to hear it with great pleasure. (*Laughter*). Sir, let us take risks. Sir, we would not mind even if the lives of ten lakhs of Indians were sacrificed if by taking these risks, we can test whether we are fit to rule. (*Mr. Nanak Chand Pandit: Our country is already overpopulated.*) Yes, it is over-populated. I am sorry there is a very short time at my disposal and I find it very difficult for me to discuss the White Paper at length. The Governors are going to get powers with which they would be able to wreck the whole constitution within a moment if they like. Even Changez Khan did not possess such wide powers. If it had been possible to let him know in his grave that Sir Samuel Hoare could grant such powers he would have very much jumped out of his grave with envy. For even he did not possess such powers. The Czar of Russia though well-known for his despotism did not wield such powers. You may protect the minorities. That is not objectionable. But to provide unnecessary powers in the name of safeguards would mean a serious set back to the constitutional progress of this country. The White Paper has a big black margin around it indeed. I am a straightforward man and would not hesitate to condemn a policy which is wrong in principle. Truth is always bitter. But a truthful man is better than a flatterer because the latter can never be relied upon. If he has acknowledged you as *mai bap* to-day he will not hesitate to acknowledge any other person as such if he comes into power to-morrow. (*Laughter*). As regards services, I can say that they are not safeguards, but a legislation which makes self-government impotent and helpless. There is no need of providing such kind of irritating safeguards to imperial services, for Indians already respect British officers and believe in their honesty of purpose. Supposing I become Chief Minister to-morrow and I like to censure a British officer whom I cannot attack directly. But if an extra assistant commissioner or a subordinate insults him he certainly would come to persuade me to take action against that extra assistant commissioner. But if I refuse to take any action against the offender, what would he do, he would if he is a self-respecting person prefer to leave service and go home. So, if you make laws which bring officers and Government into clash you will find great friction and the deterioration of administration. Do you want that such things should happen? I would respectfully tell the Secretary of State for India that such protection is useless and vexatious. It would be better to do away with such vexatious clauses. (*At this stage the bell rang and the honourable member resumed his seat.*)

Sardar Sahib Sardar Ujjal Singh (Sikh, Urban); I want to make a short statement on behalf of my friends to explain the Sikh point of view as we understand it to be. The White Paper has completely ignored the claims of the Sikhs and has given sanction to the communal award which the whole community regards as unjust and unworkable. We have examined the proposals with anxious care from the point of view of responsible govern-

[S. S. S. Ujjal Singh.]

ment in the centre and an autonomous Government in the provinces with special regard to the protection and safeguarding of our minority interests, and we are driven to the conclusion that under the conditions enunciated in the White Paper it would be impossible to establish an autonomous, impartial and just government in the provinces and an effective and responsible government in the centre. Under these circumstances no useful purpose, we believe, will be served at this stage to examine these proposals in detail and we must reserve our criticism for a more suitable opportunity when our criticism and co-operation are likely to be of some value.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General): Sir, the policy of the present Government in England is to crystalize minorities and majorities in India as separate political entities. We are constrained to look upon the constitution proposed in the White Paper from the point of view of Hindu minority. The experience of Hindu and Sikh minorities has so far been very discouraging. The treatment meted out to them has been most invidious and unjust. The Home Government has turned a deaf ear to all our representations. We are, therefore, convinced that any criticism of the White Paper from the point of view of these minorities will not meet with a better fate and will be an utter waste of time.

The Governor is supposed to be made the protector of minority rights in the new constitution. But can he be expected to follow a policy different from that of the Home Government which is one of differential treatment of minorities in different provinces? No general formula of minority rights which would give protection to them has been announced. Any suggestions of ours on this point are certainly useless, as they are not likely to receive any better consideration. We have, therefore, no other course than to adopt an attitude of resentment and indifference.

This is no occasion for us to say anything regarding the devolution of responsibility in the centre. If the White Paper is the index of the coming constitution, responsibility in the centre is a thing, which is not likely to materialize soon.

Khan Bahadur Mian Mushtaq Ahmad Gurmani (Non-official, nominated): Sir, I had no intention to speak on the motion now before the House for I was conscious of the limited knowledge that I possess of constitutional law and I felt that I would not be able to make a suitable contribution to the debate. But certain important matters have been left untouched by the previous speakers and I am constrained to make a few observations. The honourable member from Sialkot who is probably going to work with the Joint Parliamentary Committee—

Chaudhri Zafrulla Khan: Several honourable members are under the impression that I may be nominated to the Joint Parliamentary Committee. May I be permitted to point out that there is no proposal that any Indian should be nominated to the Joint Select Committee because it must consist of members of Parliament. Secondly, I have no intimation whatsoever that I shall be one of those who may be invited from India to sit with the Committee.

Khan Bahadur Mian Mushtaq Ahmad Gurmani: Sir, as my honourable friend has been in touch with the framing of the new constitution from its early stages and has been a member of all the Round Table Confer-

ences, I believe, he would most probably be invited to work with the Joint Parliamentary Committee. The Government, I am sure, would not be able to find a more suitable man than Chaudhri Sahib who has a vast knowledge of constitutional matters and enjoys full confidence of his community. Anyhow he has in his speech to-day ably summarised the constitution outlined in the White Paper and put before the House important points on which the members might express their views. Sir, it is suggested in the White Paper that the life of the Federal Council of State will be 7 years and the life of the provincial legislatures will be 5 years. The provincial legislatures will elect members for the Council of State. I think the object of this indirect election is to give representation to the provincial legislatures in the Federal Chamber. If this point of view is correct, and I think it is, then the life of both these Houses should be the same.

The representative character of the members of the Council of State would cease to exist when the body which elected them is no more existent. I am strongly of opinion that the provincial legislatures must have a chance to represent their view point in the Federal legislature. I endorse the proposal for election to the Council of State by the provincial legislatures. The members of the Council of State should have the position of representatives of the provincial legislatures in the Federation. The term of their membership should be dependent on the life of the body which elects them. The members of the Council of State may remain there as long as the provincial legislature which elected them is in existence. I fail to understand what representative character the members of the Council of State will have in the Federal legislature when the body which has elected them as their representatives is not in existence. I am in full sympathy with the view expressed by my honourable friend Khan Bahadur Shaikh Din Muhammad as regards the share of Indian States in the Federation. I would like to add in this connection that the inclusion of the members of the Indian States should in no way reduce the proportion of Muslims in the Federal House of Assembly. As long as separate electorates are in practice a ruler of an Indian State should nominate to the House of Assembly representatives belonging to different communities in accordance with their proportion in the population. The members from Indian States should be nominated for a full term of the legislature as is done in the case of nominated non-official members in the present legislative councils. The Indian States have been given more than their due share of representation in the Federal legislatures. It would, therefore, be most unjust, to allow the States subjects to stand for election from the British Indian constituencies. They should be barred from standing for election to provincial or Federal legislatures from British Indian constituencies. The Indian States should join the federation on uniform basis. After consultation with the representatives of Indian States a list of Federal subjects should be prepared and it should be made compulsory for a State joining the Federation to transfer to the Crown for the purposes of the Federation, the powers and jurisdiction in respect of those subjects. I would like to include in that list all the Federal subjects mentioned in Appendix VI, List I, excepting, of course, those subjects which exclusively concern the Governor's provinces. How can the Indian States claim equal partnership in the Federation of India unless they are prepared to transfer to the Federation

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the control of all Federal subjects. Their present attitude means "heads we win, tails you lose." It reminds me of an old story. A man went to a hotel carrying a few fresh lemons with him and offered the juice of a fresh lemon to a man sitting at the dinner table who thankfully accepted the offer. He sat by him and shared the dinner with him saying "your dinner would not have been so delicious without my lemon juice." In the same manner the Indian States wish to share our meals in return for their lemon juice.

I would now come to the powers of the Governor-General to frame rules of business. It is suggested in the White Paper that the Governor-General will frame rules of business with the consultation of his Ministers, but will not be bound by their advice in this matter. If from the very beginning there is a lack of good will and trust between the Governor-General and his Ministers and the rules of business which are to be followed by the Ministers are made against their wishes the working of the constitution would become impossible. In the interest of cohesion among the Governor-General and his Ministers and the successful working of the constitution it is necessary that the rules of business should be framed by the Governor-General on the advice of his Ministers.

There is no mention in the White Paper about the privileges of the members of the legislatures except that the members will have freedom of speech. It is also silent on the privileges of the houses of legislature and their presidents. In all the constitutions of democratic countries such provisions are made in the Constitution Act. There are certain privileges attached to the Houses of British Parliament and those of the dominions. It is necessary to give certain privileges to the presidents and members of the Federal and provincial legislatures to maintain their dignity and independence. The history of British Parliament shows that in the earlier days the Parliament found it necessary to use these privileges very often. But with the development of democracy the need for the exercise of these privileges decreased. But up-till-now it has been considered necessary to retain those powers though for many decades there has not been any occasion to use many of them.

As democratic government in India is still in its infancy it makes it all the more necessary that our houses of legislature should have certain protections and privileges attached to them to enable them to work smoothly and independently. I would suggest three things in this connection, namely, freedom of speech, freedom of person, and protection against libels. The first mentioned privilege is enjoyed by the members of the legislatures under the present constitution, and is contemplated to be included in the new Government of India Act. It is, therefore, needless to lay stress over it. It is necessary to ensure to the members of legislatures immunity from arrest as enjoyed by the members of the House of Commons. Sir, under the new constitution the system of the party Government will be in practice. In many provinces the Government party will have a bare majority and the absence of one or two of its members would endanger the existence and stability of the Government. There is a danger that efforts will be made and tactics used by the opposition to prevent the members of the Government party from attending the Council meetings in order to oust the Government.

For instance, a member would be called as a witness in any civil court during the Council session or a civil suit would be lodged against him to stop him from attending the Council meeting in order to appear before the court or a warrant of arrest would be got issued in a civil suit which will prevent him from attending the meetings of the Council. It is therefore necessary that members of the legislature may be granted immunity from arrest during the Council session and 90 days before the commencement and after the termination of the Council meetings. The third and the most important privilege that I have suggested is the protection to the members and the presidents of the legislatures against libel. On many occasions, as you are aware, the intentions and motives of the members and the presidents have been challenged in the Press in a most objectionable manner. Reflections have been cast on their honesty and impariality. These incidents some times create serious situations. It is most important and necessary to protect the members and the presidents of highest legislative bodies of the provinces and the country from such attacks in order to ensure independent and smooth working. Before proceeding further I would add one thing more in this connection. The rank and position of members is not defined anywhere while the rank of even the junior members of services is defined in the order of precedence. I would, therefore, request that the rank of the members of the legislatures be defined and they be given a sufficiently high place in the warrant of precedence in accordance with their responsible position. As I have already mentioned, the presidents of the legislatures have limited powers and privileges. I must confess that it was due to your towering personality and tactfulness that you were able to transact the business of the Council smoothly, or else it would have been very difficult to do so with the limited powers at your command. I am strongly of opinion that the presidents of legislatures should have sufficient powers to ensure efficient working.

It is needless to say that the legislative assemblies or councils should have the power to deal with all cases involving breaches of privileges. I would like to say one word about the judicial courts. The control over the subordinate judicial courts and the judicial and civil services should vest in the provincial legislative assemblies. It is anomalous to curtail the existing powers of the provincial legislatures in the new constitution which grants them the position of autonomous units. The appointment of the permanent judges of the high court should be made by the Governor-General in consultation with the local Government. There should be no additional judges of the high court. Temporary judges of the high court should be appointed by the Governor as at present. I would like, Sir, before resuming my seat, to make a few general observations on this important document.

I have read with keen interest the comments made by the Press and public men of India on the White Paper. It is said that the constitution proposed in the White Paper is most unsatisfactory, and is overwhelmed by safeguards. It is a truism that major portion of this document contains safeguards. But let us see who is responsible for this. From the very beginning—since the publication of the Nehru Report, fears and mistrust gained ground in the minds of minority communities and they demanded safeguards for the protection against the perilous majority rule. This de-

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mand was stressed in each of the Round Table Conferences and some of the delegates went so far as to say that the reforms were being thrust upon them and that they would prefer the pre-reforms constitution to that which gives power to the majority community. Most of the safeguards are provided to protect the interest of minorities. Does it lie in our mouth to ask for protection on the one hand and condemn the safeguards on the other? The British Government alone cannot be made responsible for the proposals contained in the White Paper. It is an outcome of the decision arrived at at the Round Table Conferences by mutual discussions. We should also see what contribution we have made in this great task of constitution building. The Congress, a powerful political organisation of the country, has from the very first day taken the attitude of resentful indifference. Some other important sections of the population followed suit. Their only contribution in this great task was condemnation and destructive criticism of the Government proposals. Government appealed to Indian people on many occasions to settle their differences among themselves and come out with their joint demand. But they failed to do so. Mr. Gandhi admitted in London that they could not come to terms, among themselves. The Government was thus compelled to give a decision on the points at issue, having regard to the demands of different communities. My Honourable friend Khan Bahadur Sardar Habib Ullah has remarked that the Government proposals fall short of the Indian aspiration for dominion status. I wish to ask him whose aspiration that is. The word dominion status has occurred no where except in the Nehru Report which was condemned by everybody, even by its own authors. The Congress demand is complete independence, Muslims, ask for complete provincial autonomy and Federal Government in the centre—and yet there are others who clamour for more seats in the legislatures than are due to them. Some of our brethren wish to go back to pre-reform rule. Which of these is the national demand? If we had shown the British Government a united front and placed before them a joint demand, I am sure it could not have been treated indifferently. There is a price for everything and India must also pay for its independence. We must sink our differences and every individual and community should show the spirit of self-sacrifice. It is not too late even now and if we all feel that the White Paper falls short of our needs and aspirations the true criticism and a correct answer to it would be to come to an understanding and put forward a joint scheme for India's future constitution.

Resentful indifference will lead us nowhere. I, therefore, appeal to my countrymen through you that they should realise their responsibilities and duties towards the motherland at this critical juncture and sink their differences. They should evolve a formula which may be acceptable to all parties and place before the Government their joint demand. Let us, if we are true to ourselves and our country, give a joint mandate to our representatives who are to sit with the Joint Parliamentary Committee and send to England a scheme for Indian constitution which has the support of the whole of India. All this requires a change of heart and mutual trust which could only be brought about by self-sacrifice.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, non-Muhammadan, Rural) : Sir, it is rather lucky that we have to-day in our midst the honourable member representing Sialkot. He has been associated with the Round Table Conference from its very beginning and he is, therefore, in the best position to give us a correct lead with regard to the points which require discussion and attention. In the course of his long speech he drew the pointed attention of the members of this House to a number of points of very vital importance. It will be impossible for me to cover even briefly all those points. Therefore, I will confine myself, only to a few broad features of the proposals which are contained in the White Paper.

It has been asserted that the White Paper has been before the public for a considerable time and that it has been given a very cold reception and evoked very hostile criticism. That is perfectly true. It has also been suggested by many honourable members that the White Paper is very disappointing indeed. One member made a slip in saying that it was not disappointing in spite of the fact that in the previous portions of his speech he had pointed out certain very serious defects in the scheme. What he really meant was that though the scheme contained in the White Paper was disappointing the real responsibility for the disappointing nature of the scheme rested, at least partly, on our own shoulders. With these few remarks by way of preface I shall try to draw the attention of the House to certain points in the scheme which are certainly worthy of praise and appreciation.

Nobody can doubt that the scheme outlined in the White Paper marks a definite advance towards democracy of which we have been speaking so much lately. The proposals contained in the White Paper give a very wide franchise to the population of the various provinces and to the population of India as a whole. The proposals that have been put forward in the White Paper in relation to franchise go a good way longer than many of us originally expected. The estimate is that about 27 per cent. of the adult population of the country will be enfranchised in respect of provincial legislatures. That marks a very decided advance on the present state of things.

The second feature of a satisfactory character is that we have been promised provincial autonomy, certainly in form, though as suggested by many critics this autonomy in form may not prove to be autonomy in substance. But the actual character of the working of this autonomy will depend on our own action. The third satisfactory feature of the proposals is that so far as the provincial legislatures are concerned, the element of nominated and official members has been done away with. Certain nominated members of this Council were making speeches to-day, and there were interruptions on the part of elected members of this House. Those interruptions clearly indicate that the nominated members, with honourable exceptions, are regarded as the mouthpiece of Government and not of any section of the population of the province. Therefore, their views cannot carry the weight which the opinions expressed by elected members will, and ought to, carry. Fortunately under the new scheme of things this element of nominated members will disappear, so far at least as the provincial legislatures are concerned. This is all to the good. The fourth element which ought to give satisfaction to all people is that the element of responsibility has been introduced at the centre as well. It may be that this responsibility is limited by several conditions, still we cannot deny

[R. B. Ch. Chhotu Ram.]

that the introduction of this element of responsibility marks a distinct advance on the present stage of our political development.

Having disposed of all these four satisfactory features of the scheme I may come to some factors which seem to take away, to retract from the real value of those features. I will at once come to the centre. We have been promised federation with a fairly good element of responsibility in it. But, when is that federation to come into existence ? The *sine quo non*s that have been stated in the White Paper are that there should be established in the first instance a reserve bank ; and secondly, that Indian States having a population of not less than half of that of the total number of Indian States should enter the federation as a condition precedent to the establishment of a federal system of Government in the country. These two conditions are very hard to fulfil. In fact the White Paper itself contains indications to the effect that these conditions may not be fulfilled in the near future and the actual introduction of federation may have to be postponed for some time. What that exact length of time will be is very difficult for anybody either to guess or prophesy. The financial conditions that prevail in the world generally and those that prevail in India are not very encouraging for the establishment of a reserve bank very soon. Besides the States have been so far wrangling as to the conditions on which they are prepared to join the federation. There has been no unanimity, there has been no substantial measure of agreement between the various States to enable us to hope that they will be in a position to enter the federation before the Joint Select Committee is called upon to enter upon its task. Then, again, there are other factors which tend to make the element of responsibility at the centre illusory. The special powers which have been conceded to the Governor-General are very excessive and practically unlimited. If the Governor-General is to exercise these powers at frequent intervals, then the measure of responsibility conceded becomes comparatively of very limited value. Again special powers not only in the field of administration, but also in the field of legislation are extremely wide. Under the present constitution the Governor-General has a right to make ordinances. Under the new constitution the Governor-General will have a right not only to promulgate ordinances, but will also have a right to enact actual laws ; and these laws will, like ordinary laws, be unrestricted in point of duration. They will have the same force and will be in operation in the same way as ordinary laws enacted by the legislatures. That is a very serious special power which detracts immensely from whatever further privileges and political rights have been conceded to the people.

Further, I may draw the attention of the House to the proposed statutory Railway Board for the administration of state railways. The institution of a statutory Railway Board seems to me to be based on the distrust of the Indian members of the federal Government. So far there has been no statutory Railway Board and the Railway Board that exists has been discharging its duties under the guidance and control of the ordinary executive government of the country. There is no reason why the same system should not be allowed to continue under the new constitution. The reason seems to be that those who are responsible for the preparation of the White Paper have not the same trust in the future Indian Government as they have in

the Government as constituted now. In paragraph 74 of the introduction the following words occur—

There is one matter of importance which these proposals do not cover, namely, the arrangements to be made for the administration of the Railways under the Federal Government. His Majesty's Government consider that it will be essential that, while the Federal Government and Legislature will necessarily exercise a general control over railway policy, the actual control of the administration of State Railways in India (including those worked by Companies) should be placed by the Constitution Act in the hands of a Statutory Body so composed and with such powers as will ensure that it is in a position to perform its duties upon business principles and without being subject to political interference.

These words are a clear indication of the fact that the author or authors of the White Paper do not consider that the future federal Government will be able or willing to administer the railways on the same safe and business principles as have been followed by the present Government. I beg to submit that there is absolutely no warrant for this assumption, which I regard as a gratuitous slur upon the business capacity, upon the administrative capacity and upon the honesty of purpose with which the future federal Government will be imbued.

I may also make a passing reference to the question of safeguards. When the question of safeguards was under active discussion between Mahatma Gandhi and Lord Irwin, the relevant clause of the Irwin-Gandhi Pact provided that those safeguards should be demonstrably in the interests of India. But the words used in the White Paper with reference to the safeguards are that they will be in the common interests of Great Britain and India. This means a departure from the principle which was agreed upon between the Governor-General and Mahatma Gandhi. As a matter of fact when that pact was drawn up I personally never felt that the principle that the safeguards should be demonstrably in the interests of India could be acted upon. After all what were those safeguards required for? Those safeguards were required as a check upon the improper exercise of self-governing powers which were going to be conferred upon India. If there was any conflict between British interests and Indian interests, then these safeguards were needed not demonstrably in the interests of Indians, but obviously in the interests of the Britishers and Britishers alone. If there was no conflict of interests between the Britishers and the Indians then the safeguards were not needed at all. Therefore, as large self-governing powers were to be conferred upon the Indian people Britishers felt rather nervous and they thought that some safeguards ought to be devised to ensure that these powers are not used to the prejudice, to the detriment of British interests in India. However, as I submitted there has been a departure from the principle which was wittingly or unwittingly agreed upon at that time, and the safeguards devised are far too wide, too far-reaching, and calculated seriously to detract from the value of the powers that are to be conferred under the new constitution.

From the central sphere I may pass on to the provincial sphere. Here again, there are certain factors to which I wish to draw the attention of the House. In the first instance the powers of the Governors are far wider than they need have been, much larger than the powers which they enjoy now. I shall just make mention of those powers. The Governor at prese

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has no power to make ordinances. Under the new constitution he will have these powers. It may be contended that after the grant of provincial autonomy it will be improper that any ordinances which may be needed should be made or passed by an authority outside the province. That I can very well understand. But to give the Governor powers of legislating without reference to, and over the head of, the legislature is placing in his hands powers which are undeniably excessive and entirely uncalled for. This is not all. He is further under the obligation to obey any order that may be issued by the Governor-General in certain circumstances and if the Governor is under an obligation to obey any particular orders issued by the Governor general in certain matters, obviously the provincial executive is also bound to obey those orders. Therefore I beg to submit that these special powers and special responsibilities of the Governor-General and Governors are so extensive that they whittle down a good deal, the actual powers of self-government that have been conferred upon the provincial executive and provincial legislature. Yet another point to which I may draw the attention of the House is the undue solicitude shown by the authors of the White Paper for the welfare and for the safeguarding of the rights and privileges of the services. This, again, is a clear indication of distrust. It has been practically assumed that future provincial governments will not be sufficiently alert or awake to the need of giving due protection to their permanent services, that they will probably be disposed to interfere too much with the rights and privileges of the permanent services. I assert with all the emphasis that I can command that there is no warrant for making any assumption of this character. Even under the present constitution Ministers in the Punjab, and presumably Ministers in other provinces as well, have been able to maintain very good and cordial relations between themselves and the permanent services. There has been no complaint at any time that the relations between the permanent services and the Ministers have been anything but cordial or anything but those of mutual good will and co-operation. If the past is any guide to the future, then there was no need for the introduction of special powers for the protection of the rights and privileges of the services.

Another factor which deserves attention is the lack of any power of control on the part of the Ministers in relation to the members of the permanent services. Autonomy divorced from any powers of control over the services is to all intents and purposes meaningless. After all the essential ingredient in autonomy is that an autonomous unit or an autonomous government should be in a position to control the services which it pays for. If the popular executive has no power of control over services the Ministers will be in a very helpless situation. Even under the existing rules, I may let the House know, the Minister is not entitled even to record a formal censure against any member of an imperial service and possibly also against a member of a provincial service. If the Minister is so helpless as not to be empowered even to record a censure in respect of the officers serving under him, how is he to maintain any discipline among the permanent services. Naturally it is a thing to be resented. It is also calculated to place a great hindrance in the way of Ministers and may even tend to encourage a spirit of insubordination among officers.

I may now come to some of the points stated so lucidly by my honourable friend on my right. One of the most important points to which attention was pointedly drawn by him is the position of Indian States with reference to the central legislature and the central executive. Under the existing rules a subject as well as a ruler of an Indian State is eligible to become a member of our legislatures. Under the proposed constitution a large contingent of nominated members from Indian States will be allowed to enter the central legislature. In the lower House as many as one-third of the members will be nominated by rulers of Indian States. While on the one hand credit may be claimed that Government is doing away with the nominated element, on the other hand the public may well complain that what has been given with one hand is being taken away with the other. This inroad of a large contingent of nominated members will have the effect of reducing even the present influence of the central legislature. Then again my honourable friend has referred to the anomaly of these nominated members being allowed to influence the course of legislature which affects British India alone. Of course he did not say that the White Paper specifically gave them that power, but what is not prohibited is permitted. That is the general rule, and what British Indians may reasonably insist upon is that these nominated members from Indian States should neither vote nor make speeches on questions which relate only to British territories. They should be allowed to sit and vote only on questions which are federal in their nature. Another factor which requires attention is, what is to be the term of these nominated members? The ordinary tenure of members is 5 years. Suppose by his conduct a nominated member gives offence to a Ruler of an Indian State and the Ruler desires to replace him by somebody else who is more amenable to his wishes. Will it be just that members once nominated should be withdrawn at the pleasure of the nominating authority? But this may easily happen as the White Paper is entirely silent on this point.

I desire to make just a brief reference to the privileges of the House and the privileges of individual members of the House. In the dominions the constitution provides that the privileges of the House and those of the individual members of the House will be the same as are enjoyed by the House of Commons and its members in England. As a matter of fact, the Australian constitution even provides that the House of Representatives may confer even greater privileges upon the individual members of the House than those which are enjoyed by the members of the British House of Commons. In the same manner the powers of the Chair should be exactly the same as those of the speaker obtaining in England. With these words, Sir, I bring my speech to a close because another honourable member is waiting to make his motion.

Khan Bahadur Sardar Habib Ullah : May I know, Sir, what becomes of my motion?
6 P.M.

Mr. President : I am going to place it before the House. Gentlemen, the motion moved is :—

In the opinion of the House, the outline of the constitution Act as given in the White Paper falls far short of Indian aspirations for Dominion Status and that unless substantial changes are effected by the Joint Committee the proposed constitution will not satisfy any political party in the country. The Council, therefore, requests all Indian members of the Joint Committee to sink all communal differences and present a united front to the Government in England.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I want to know whether you have decided that the discussion of the White Paper has finished. If so, it means that the discussion on the motion which I moved and which was carried by the House is finished and now we are asked to deal with an altogether new motion. If you allow the honourable member to move the motion, I hope you will not take the sense of the House on his motion without giving the house an opportunity of discussing it. After all, a motion should be discussed before it is put to the House.

Mr. President : The House is certainly entitled to discuss the motion.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : I rise to a point of order. I want to know whether this Council can make recommendations to the Indian members of the Joint Committee?

Mr. President : All decisions of a Parliamentary body are either (a) commands, directions or orders; or (b) wishes, recommendations or resolutions. Recommendations or resolutions are meant for the outer world; while orders or directions are meant for itself or for its members, officers or committees. So, a request to the Indian members is not an irregular form of Parliamentary action.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I think the honourable member from Muzaffargarh has drawn your attention to a very important point. There are no Indian members of the Joint Committee. No Indian can be a member of that Committee unless he is also a member of one of the Houses of Parliament. Therefore even the wording of the resolution is not correct.

The Honourable Malik Sir Firoz Khan Noon : May I also point out one further matter? The wording of this resolution is quite different to the spirit of the discussion we have been having so far and there may be members of this House who may have objections to certain portions of this resolution. In this resolution emphasis is laid on dominion status. There may be members who belong to political organisations in this province whose ambition and endeavour may have been in other directions than the one indicated by the honourable mover of this resolution and it will be fair to give them a chance to speak on this motion and I think it will not be right to rush this motion through at this last minute without any discussion because we shall not be doing duty to ourselves and to the political views that we have so far expressed in the press and on the platform and in this House and outside this House.

Mr. President : What does the honourable member for Lahore mean by "substantial changes" and "Indian members of the Joint Committee"?

Khan Bahadur Sardar Habib Ullah : "Substantial changes" mean what the different members of this House have been discussing so far before you this afternoon. They have suggested many good things and all these mean substantial changes. "Indian members of the Joint Committee" mean those Indians who are going to sit with the Joint Parliamentary Committee, whatever their status may be, whether they are assessors or members. This is a point which is going to be decided by His Majesty's Government. It is a common term which is known to everybody and therefore there is no likelihood of any apprehension in this behalf.

Mr. President : What has the honourable member to say on the points raised by the Honourable Minister for Education ?

Khan Bahadur Sardar Habib Ullah : This motion has been on the table for the last two days and every member of this House, including the Honourable Minister for Education, knows that it would come up for discussion to-day and as a matter of fact I formally moved it and made my remarks on it and you have allowed the motion and Mr. Owen Roberts and many other honourable members have alluded to it. If the Honourable Minister for Education wanted to say anything on it he had ample opportunities to do so.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : We did not anticipate that this motion would be coming up and we did not touch many points which are necessary to be discussed in this motion. So it will be a great injustice if we are not allowed an opportunity to discuss this motion before it is voted upon.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I see many empty benches and even the Leader of the party on my right is not in the House. I believe I am not giving away any secret when I say that the honourable mover of this motion had a talk with the Leader of the Reform Party and decided that he should not move his motion. (*An Honourable Member :* No, no.). It is very unfair to take up this motion now when many members have left the House.

Shaikh Muhammad Sadiq : I wish to say that whenever there is a motion of this sort, the Chair usually calls the member concerned to speak.

Mr. E. Mayadas : There is a real difficulty here. The words "substantial changes" are vague. "Substantial changes" to me may mean one thing and it may mean another thing to my honourable friend.

Mr. President : Is Government prepared to allot another day for the discussion of this motion and the Rural Indebtedness Committee's report ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I have not received any formal request so far. If a request is made I will give it my careful consideration. But I cannot promise that I will be able to give time.

Khan Bahadur Sardar Habib Ullah : That is very indefinite and I would appeal to the Honourable Leader of the House either to allow this motion to be put now and save the time of the House or to give us another day.

The Honourable Captain Sardar Sir Sikander Hyat Khan : How would the honourable members like if I put forward a resolution now at this stage to the effect that the proposals in the White Paper should be approved by this House ? Would it be proper for the House to give its opinion on such a motion without discussion.

The Honourable Malik Sir Firoz Khan Noon : One point to which I wish to draw your attention is this. This resolution lays great emphasis and tries to show our disappointment at the draft constitution not giving dominion status. But I know there are a large number of organisations who represent large sections of population of this province and this country who have laid great emphasis on the fact that we should get complete provincial autonomy and this resolution says nothing about it.

Khan Bahadur Sardar Habib Ullah : I cannot understand why the Government members could not have this resolution passed. It is going to strengthen the hands of the future Government which is going to come into existence.

The Honourable Malik Sir Firoz Khan Noon : Add the words "provincial autonomy."

Khan Bahadur Sardar Habib Ullah : May I again respectfully say that there was enough time for any member of this House to put in any suggestion or any amendment to this motion? This motion was before the House for 2 or 3 days in print.

Rai Bahadur Mr. P. Mukerji : You said you would take this question at the end and if any member had anything to say he had plenty of time. But to raise the question now is hardly fair. You made it clear that you will take it up at the end and that you will put it from the Chair. It was up to the members to say what they had to say. This is not the proper time to make such a statement.

Khan Bahadur Sardar Habib Ullah : If this motion is defective and some amendments are to be proposed as suggested by the Honourable Minister for Education, it may be put to the House and if it is defective, it will be rejected.

The Honourable Captain Sardar Sir Sikander Hyat Khan : It has been suggested to me that what cannot be amended should be ended. *(Laughter).*

Khan Bahadur Sardar Habib Ullah : Honourable members will know how many times before this we have discussed the matter now contained in the White Paper. I feel that it will make us look absolutely absurd in the eyes of the world if we were going to debate the matter and after discussion when the time came for voting upon it we were going to shelve the motion.

Mr. President : Now that the honourable member's motion is before the House the other honourable members have a right to discuss it and, if necessary, to amend it. He is not right in expecting the Chair to put it to the vote of the House when several honourable members wish to discuss and amend it. Nor is he right in suggesting that speeches made in the course of discussion on the White Paper may be taken to have been made on his motion. I am not aware of any rule of law or practice which warrants such a novel procedure. Another day for discussion is the only solution of the difficulty. I am unable to put the honourable member's motion to the vote of the House unless the members who wish to discuss and amend it are given an opportunity to act as they wish.

Rao Bahadur Chaudhri Chhotu Ram : I wish to bring to your notice that no time has been allowed for the discussion of the report of the Rural Indebtedness Committee.

The Honourable Captain Sardar Sir Sikander Hyat Khan : As regards that I shall consider the matter and let the honourable member know when we can give time for its discussion. It cannot be the 30th or the 31st of this month. It will have to be later. I shall let the honourable member know, when we meet on 30th.

The Council then adjourned till 2 p. m. on Thursday, the 30th March. 1933.

PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Thursday, 30th March 1933.

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. A. Latifi (Commissioner, Lahore).

Mr. C. N. Chandrasekhar (Secretary to Financial Commissioners).

THE PUNJAB MUNICIPAL (AMENDMENT) BILL.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) : Sir, I beg to move—

That the Punjab Municipal (Amendment) Bill as reported by the select committee be taken into consideration.

In moving this motion I do not think it necessary to make any lengthy speech. The Bill has now been before the public for a long time and the honourable members of this House have had several occasions to consider it and to express their opinions generally with respect to its various provisions. I need only say that we have done our best to meet the wishes of honourable members of this House and all that I expect is that the Bill would be taken into consideration in a dispassionate manner and every provision of it will be considered on its merits. So far as I am concerned I have still an open mind and I can promise that I would listen to everything that is said in this House with the greatest attention and deference, and if I am convinced that any amendment really is necessary or is calculated to improve the Bill, I personally will have no hesitation in accepting it. Beyond this I do not consider it necessary to say anything at this stage.

Mr. President : Motion moved—

That the Punjab Municipal (Amendment) Bill as reported by the select committee be taken into consideration.

Khan Bahadur Shaikh Din Muhammad (East and West Central Towns, Muhammadan, Urban) : Sir, I beg to oppose this motion. It was only day before yesterday that we very seriously and earnestly discussed the White Paper for India. To-day we are going to discuss the White Paper for the Punjab municipalities and I perfectly agree with the Honourable Minister for Local Self-Government that our discussion should be dispassionate, that no heat should be imported into it and that every provision of the Bill should be considered on its own merits.

Sir, we were informed by the honourable members of the Hindu and Sikh parties on that day that they had had a very sad experience, that

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they did not expect a better fate and that they would, therefore, only give an expression to their resentful indifference on that occasion. In spite of the sad experience that we have had, we are not going to adopt that attitude to-day. We will place our submissions before the members of the Government and we are encouraged in doing so by the assurance that has been so kindly given by the Honourable Minister for Local Self-Government that his mind is still open and that he is prepared to be convinced if anybody could convince him that the carrying out of this measure as it is would be a death blow to the local self-government in the Punjab.

Sir, in the case of every legislative enactment it is not every word or every phrase that should be proved unacceptable before the whole Bill is pronounced unacceptable. It is only the salient features of this enactment that are most objectionable and if this Bill is passed with all those provisions laid in the enactment, I make bold to say that it would be most unacceptable to every one of the persons in the province of the Punjab.

Sir, you will see that in the first place we most seriously object to the provision relating to the surcharge. For the information of the honourable members of this House I might explain what a surcharge means. You will find this provision on page 18 of this amending Bill, clause 23, dealing with the liability of the members of the committee and empowering the deputy commissioner to burden them with a surcharge of the value of such property or the amount of such money which he considers proper and which he can realise as if it was an arrear of land revenue. Both the authority for the imposition of the surcharge as well as the methods of its realisation are most objectionable to say the least, and the language in which the acts of the members which would occasion it have been defined is most unsatisfactory. It is laid down in this clause that whenever it is found that on account of the neglect, misconduct or dilatoriness in the performance of a member's duties any loss accrues to the committee, the deputy commissioner will be empowered to surcharge that member. In the first instance, it is to be seen how it would be humanly possible to connect a certain loss that accrues to the committee with a mere neglect of the member who is responsible for the execution of that work. It would also be very difficult and very hard to find out whether it was on account of the mere dilatoriness in the performance of a member's duty that that loss had accrued. Further, as almost all the lawyer members are aware of this, it is really most difficult in the eyes of law to prove a tort but in this case an executive officer like the deputy commissioner who in these days is generally an officer of 3 years' standing who has had no judicial experience, whose mind is not trained in the intricacies of the civil law and who may be mainly influenced by mere executive considerations, is being authorised to surcharge a member any time that he is of opinion that the loss has accrued owing to the neglect or the dilatoriness in the performance of the duties of a member. The member is no doubt given an opportunity to explain, but what is that opportunity. He will be called upon by the deputy commissioner to appear before him and to furnish an explanation in writing. As to whether that member would be authorised or permitted by law to fight out his case before the deputy commissioner remains to be seen. He will tender an explanation in writing, but he will have no opportunity to substantiate it. No.

authority is vested in the deputy commissioner to record evidence in this matter, either for one side or for another, and on a bare complaint received by him and on a bare explanation submitted by the member, the deputy commissioner is authorised to pass a decree for any amount against that member. It is no doubt provided that the member has a right of appeal from the deputy commissioner's or commissioner's orders to the commissioner or to the local Government respectively. Here again this remedy is absolutely inadequate. A mere right of appeal to an executive officer from another executive officer's dictum is no solace to us. How that appeal is to be disposed of is again left in the dark and I wonder whether the commissioner or the deputy commissioner in the absence of any such provisions definitely mentioned in the Act as would guide him in the disposal of his work would be in a position to do justice to the case. Further it is laid down in the Bill that if the amount or surcharge is not paid within fourteen days of the disposal of the case it will be realised as arrears of land revenue. In the case of judicial decrees the maximum period is twelve years. The ordinary limitation is three years for the execution of decrees and the judgment-debtor is at perfect liberty to raise all sorts of valid objections to the unauthorised manner of the realisation of that amount. He can file objections himself. Other people can file objections if they are affected but in this case within fourteen days only of the passing of the order by the commissioner or of the passing of the confirmation order by the confirming authority, the deputy commissioner is empowered to proceed in any manner permissible to him under the Land Revenue Act. All the honourable members who are aware as to how an arrear of land revenue is realised would agree with me that this would be one of the most objectionable features of this legislative enactment. The defaulter can be sent to jail, a distress order can be issued against him, his property can be attached. The poor member is not being given sufficient opportunity to vindicate himself and he is also called upon to deposit the amount for which he may not at all be responsible within 14 days. If it is the intention of the Punjab Government to revert to the old, old days when there was no law and no procedure, by all means pass this measure but if the honourable members of Government claim to be the representatives of a civilised nation, a nation that has always been guided by considerations of fairplay and justice, a nation which is really proud of its judicial mindedness, I would appeal to them to see whether they would be able to support this provision. An executive officer with an executive bias harassing a member of the municipal committee in the discharge of his duties, imposing a heavy fine on him and realising it from him at the point of the bayonet, is this the justice that you are going to do to us? Is this the manner in which you are going to deal with the members of the local bodies in future? If we tolerate it here, then the next thing that the Government will do will be to make a similar provision for the members of the Legislative Council also. We are glad that the framers of the White Paper have been merciful to us in this respect. We are glad that we are not placed face to face with jails there. In this respect at least the Honourable Minister for Local Self-Government has even out-hoared Hoare. He has been evidently vying with Sir Samuel Hoare perhaps to frame a legislation which might even put him to shame. What right can we have to complain against the authorities who drafted the White

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Paper if we, with our eyes wide open, are ready to support this derogatory measure. It is not merely reactionary. It is derogatory to the self-respect of the Punjabis. You are empowering the Punjab to administer its provincial affairs in its own way and this is the treatment you mete out to those representatives of the people who are expected to administer the local bodies. The sword of Democles will always be hanging over their heads. I really fail to understand how any representative of any community in the Punjab will have any justification in supporting a measure of this nature while condemning the checks and safeguards provided in the White Paper. We have yet to see a deputy commissioner or a commissioner who would exercise his mind judicially in order to arrive at any judicial finding in this matter of the surcharge.

Another objectionable feature of this provision is where it lays down that within four years of the time when the loss was alleged to have accrued, the executive will be authorised to realise it from the delinquent member. In the first place I have a doubt as to the legality of this provision. The limitation for the realisation of damages on account of any tort that has been committed is governed by the provisions of the Limitation Act; and the Limitation Act is an all-India piece of legislation. I doubt very much whether the Punjab legislature will be competent in this manner to interfere with the limitation provided for there. But leaving those considerations apart, I again appeal to the House to see for itself whether it would be just or proper to fix the limitation at four years. It is evident that in the case of a large number of municipalities, the acts for which a member will be held responsible would relate only to the execution of petty works. Generally a member is entrusted with the supervision of petty works only that are taken in hand by a municipality. If after the expiry of three years for instance, a certain person who is inimically disposed towards a member takes it into his head to approach the official whom he considers to be favourable towards his views, and complains that a certain work that was executed under the supervision of a certain member was not up to the mark and that the committee had suffered a loss of say Rs. 2,000 on account of want of adequate supervision on the part of that member, will not the deputy commissioner be perfectly authorised under clause 28 to surcharge that member although it may be physically impossible for that member to refute the allegation? Three years are too long a period for any work not to deteriorate. Even Government provides for annual repairs of its magnificent buildings that are built at the expense of several lakhs and under expert supervision. In the case of petty works like a small drain or ordinary pavement of a street, or the metalling of a road which is daily being used, how can we expect that a member will be in a position to prove that the work as supervised by him was above reproach, if for the first time after four years you rouse yourself from your slumber and come to know that a municipality has suffered any loss on account of any neglect or dilatoriness in the performance of duties on the part of that member? I would therefore most earnestly and most seriously appeal to the honourable members of the Government to consider whether it would be in any way possible for them to lend their support to this most unjust and most iniquitous part of this legislative enactment. I am not opposing this

measure for the sake of mere opposition. I am placing before you the practical difficulties which will be experienced by the representatives of the people in administering their local affairs. You want us to be efficient so that we might be in a position to shoulder the heavy responsibilities which the British Government is going to place on our shoulders. Is this, then the training that you want to give us? I am definite on this point that if this enactment is passed into law, this very provision will scare away all persons who have any stake in the town from contesting the municipal seats. I do not for a moment contend that the complaints of maladministration against the municipalities are wholly unjustifiable. I do not for a moment maintain that the Ministry of Local Self-Government has any grudge against the people. I admit that there is room for improvement. But this is not the way to improve. The reason why there has been any maladministration in the municipalities is simply this that the lowering of the qualification of representatives has introduced such element in the municipalities which cannot be expected to do better, which cannot realise its duties and cannot understand its responsibilities. And if by this provision you further scare away all responsible people, people who have got any stake in the town from the municipalities, if in order to maintain their dignity in the town they refuse to respond to the call of the electors and they fail to get themselves elected, the administration will fall into the hands of those people who would further spoil the local administration in the Punjab. It is for this reason also that I most earnestly appeal to the Honourable Minister for Local Self-Government to revise this decision in this connection. He has assured us that he has an open mind; he has assured us that he is still open to conviction. I would request him therefore to see whether he, as a representative of the Punjab and as an administrator of the Transferred Departments, feels justified in inflicting this harsh measure on the local self-government.

This is not the only provision in the Bill that is objectionable. The question of services is also very important. Every time that the all-India services are discussed here we most emphatically advocate that the control of the services should vest in the administration that they serve. Every time we see resentment expressed by almost all the nationalist newspapers against the provision investing the Secretary of State with the control of the services. The other day when this point was being discussed, most of us who were here very seriously advanced the proposition that it would be unfair for the administration of any province if the control of the services was not placed under the cabinet of that province. But here what do we see? Even for the appointment of the secretary the approval of the local government is necessary, and it is the local government whose sanction is necessary in order that the committee might be able to suspend or remove or fine or otherwise punish its secretary. Other important posts in a municipality are those of the medical officer of health and the engineer. In connection with these services also the power to appoint, remove or suspend is subject to the approval or sanction of the local government. That is not all. The municipalities can be further ordered to employ certain servants which the local government wants them to employ, and the question of remuneration of such servants, the question of their punishment, in fact every matter that relates to them must be referred to the local government.

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for orders. How can this be justified on any grounds whatsoever? Every canon of law is against this provision, every reason of expediency condemns it. If you expect that the members of local bodies should be in a position to control their services in a manner which would be wholesome to the administration of the municipality, it is absolutely essential that their control must vest in the chief executive of that body. But if the services are assured that the members of the bodies they serve shall have no voice in the matter of dealing with them, if they have the support of the local government in defying the wishes of their masters who are nearer home, I am quite certain that the services will behave in a manner which would not be compatible with good administration. Supposing the secretary misbehaves towards the president, supposing the president finds that the secretary has not discharged his duties in an honest manner, what is he required to do? He is called upon to hold a meeting of the committee, to pass a resolution to this effect and to forward it to the deputy commissioner with a request that he may be pleased to forward it to the commissioner or to the local government as the case may be. And what will be the wording of the resolution? It can be only this that the Government may be pleased to warn or punish the official concerned. Then there is the authority vested in the local government to say 'no' to that request. Is this the way you want to maintain the prestige of your local administrators and the loyalty of the local services? It is not a matter for laughter. It is a matter for serious deliberation. People who are acquainted with the administration of municipalities know what difficulties they experience in the matter of local administration. Here you are setting up an example as to what sort of administration would be necessary to determine the fate of the Punjab. If you start with the Municipal Amendment Bill like this, as submitted before, you will have absolutely no justification when you would claim any better fate in connection with the White Paper. (*Hear, hear*). If you are not qualified to govern your small municipalities in an efficient manner, if the provincial administration distrusts all local bodies, then, how can you be relied upon in connection with the higher spheres of administration? Diffused distrust and indiscriminate suspicion, these are the two bases of this Municipal Amendment Bill. It appears that the local government does not confide in the local administrators; it appears that the local government is afraid that the various communities would not behave in a proper manner; it appears that the local government entertains serious misgivings that the representatives of the people on the local bodies would not discharge their functions honestly and efficiently; and it is only such fears and misgivings that have led to a provision like this. It is a maxim that prevails everywhere that he who pays the piper must call the tune. If a local administration is burdened with the salaries of its officials, then, why make the officials independent of that local administration? Can you under these circumstances expect that such employees would owe allegiance to their masters in the same manner in which the essence of good government expects that they should? And if after the passing of this enactment you again complain that the administration of the municipalities has gone from bad to worse, you will have only to thank yourselves.

Another matter which deserves your consideration is the provision which relates to the removal of members. There are two sections, section 14 and section 16 which deal with the power of local government to remove the members of the municipal committees. So far as section 16 is concerned, the harshness of the measure has been partially toned down, but the provision of section 14 remains as it is. I specially lay stress on it as it is only recent history that the Honourable Minister for Local Self-Government used that provision against three members of a municipal committee and condemned them unheard. Where is the good of amending section 16, if you keep the provisions of section 14 intact and give the local government autocratic power to declare any seat of any specified member vacant for any reason that the local government considers best? Every one of us knows that in October last three members of the Sialkot Municipality including the president were removed from their office and they had not been given any opportunity to explain as to what their offence was. They were not even made aware of any charge that was laid against them and it was only the confidential communications that went on between the deputy commissioner, the commissioner and the Honourable Minister for Local Self-Government that ended in their sudden removal. I cannot see under what law the Honourable Minister for Local Self-Government can justify this conduct on his part and on what basis he would refuse to amend section 14 under which the action was taken. If the Government is convinced that an amendment to section 16 should be introduced to the effect that an offending member against whom it is intended to take action——.

The Honourable Dr. Gokul Chand Narang : On a point of order. Section 14 is not included in the Bill at all.

Khan Bahadur Shaikh Din Muhammad : It is not. But I am discussing section 14 in relation to section 16 and I am explaining to the House that the amendment introduced to section 16 becomes altogether useless if the autocratic powers given under section 14 remain intact. I am further contending and I have every right to do so that if the local government considers it advisable to amend section 16, to bring its provisions in consonance with justice, they have no justification in withholding the same privilege under section 14. My point is that section 14 also should have been amended and brought into line with section 16 because the provisions of section 16 would become nugatory if section 14 is not also amended. Section 16 provides that a member can be removed for certain specified reasons and section 14 provides that any seat of any specified member might be declared vacant by the local government. The result is just the same and this is the reason why I brought to the notice of the House the illustration relating to the Sialkot municipality. The Minister for Local Self-Government had remarked on the floor of this House that the power had been exercised in that case as there was a flagrant abuse of power on the part of those members. I would therefore urge upon the Honourable Minister for Local Self-Government to revise his position in this matter. If he really believes and if the Government is convinced that no person should be condemned unheard, that every offender must be given a chance to defend himself, then there is no justification for keeping these provisions of section 14 intact, when section 16 is proposed to be amended so as to bring it in a line with justice, equity and good conscience.

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This is not all. There are other provisions also which are similarly objectionable, and one amendment at least can only be traced to the ignorance on the part of the members of Government of the working of municipalities. This is the provision which relates to the curtailment of the power of the president under section 35. When I read the amendment I could not at all believe that the Secretary for Local Self-Government Department could have been its author, as I happened to learn from an old record that he had been sometimes acting as the Secretary of the Municipal Committee of Amritsar. Any person who is acquainted with the municipal administration knows that the municipal committee meets but once in a month. It might sometimes meet twice or thrice in a month, but it does not hold its meetings every day to dispose of matters which arise every day. For the rest of the period it is the president who carries on the work under the general provisions of section 35. Supposing a teacher of a municipal school runs away and another teacher is to be appointed in his place; supposing it is necessary and expedient to incur a certain amount of expenditure in the interest of the public which is not covered by the present provisions of section 35, supposing the president finds it necessary to issue an order which he considers cannot be delayed for 29 days during which a meeting of the municipal committee will not be held, what will he do? Under the proposed amendment to section 35, dealt with in clause 16 on page 14, the powers of the president have been circumscribed within most unjustifiable limits. It is laid down:

On the occurrence or threatened occurrence of any sudden accident involving or likely to involve extensive damage to property or danger to human life

if the president considers that some action should be taken he may take it. My humble submission is that if occasions arise which are not contemplated by this amending clause, it would be very difficult and very hard for the president or for anybody else to carry on the municipal administration. It would actually create a dead lock. Sir, we have to introduce measures which might help in bettering the municipal administration and not be instrumental in worsening it. I challenge any member of the Government to inform me as to how it would be possible for the president as the chief executive officer of the municipality to run the administration if he is not vested with plenary powers to carry on the administration as contemplated by the existing section 35. In support of this amendment, we were informed on the last occasion that it was generally complained that the presidents were in the habit of abusing their powers and arrogating to themselves the authority vested in the municipal committees only. This condemnation is altogether unjustifiable. It is based on an ignorance of the provisions of the Municipal Act itself. It is clearly laid down in that enactment that every order passed by the president under the provisions of section 35 should be laid before the next general meeting for the information of the committee and the committee is authorised either to confirm or to veto down the action taken by the president in the discharge of his functions under section 35.

The Honourable Captain Sardar Sir Sikander Hyat Khan: Has the honourable member's attention been drawn to the proposed amendment to clause 16?

Khan Bahadur Shaikh Din Muhammad : I am not used to place the cart before the horse. I am dealing with the amending Bill as it is. I am not at all authorised to pre-suppose what amendments would be carried out by the Council or whether any amendments would be carried out at all. Further the amendment if carried will not be enough. The only words added there are "grave inconvenience to the public." That also would not serve the purpose. I appeal to all those honourable members who had anything to do with the practical side of the administration of the municipalities to consider whether it would be possible to run the municipal administration if the existing powers are taken away from the presidents. Municipal committees, as I have already submitted, do not meet every day. For 29 days it is the president who has to run the administration and how can he do so if he is not empowered to pass orders in urgent cases and place them before the committee for information? If the president passes an order under this section and the committee withholds its assent to it, it will be set aside. If the committee confirms it, then the conduct of the president would stand justified. It is also obvious that no president can pass any such orders unless he is assured of his majority and if a president is assured of a majority and passes orders only on that basis, then it is quite useless on the part of the legislature to curtail his powers in any manner. If he carries a majority with him he can carry anything that he likes. There is no provision in this enactment which lays down that any decision arrived at by the majority of the committee would be vetoed down in an arbitrary manner and as I have already informed the House no president can pass any order unless he is sure of his majority on whose strength he would be able to carry out his orders through the committee. As he has his own prestige and dignity to maintain, no president in his senses would pass any order which would be liable to be defeated the next day. The limitation, therefore, that clause 16 provides is not only unwise but obstructive too. It is the result of ignorance. It is altogether unjustifiable.

Then again we are being burdened with the control by deputy commissioners, commissioners, extra assistant commissioners in a manner which is altogether inconsistent with the claim made by the British Government that they would give us a free hand in the administration of our local bodies. I may not mind a commissioner interfering in the administration of these bodies; I may not mind a deputy commissioner even. They belong to a privileged class and are favourites with the authorities. But when these officers are authorised to nominate any extra assistant commissioner to use all those powers which are vested in a commissioner and deputy commissioner, this becomes intolerable. Imagine, Sir, a youngster who happens to become an extra assistant commissioner by competition, who is altogether ignorant of the municipal administration, and has put in only a couple of years of service is entitled to be invested with the powers of inspecting and reporting to the Government on the administration of Lahore for instance. He would surely make a mess of the whole affair. You have every right to interfere if there is abuse; you have every right to take to task any member who misbehaves, but you have no right to burden the municipalities with such controls. What is the reason for introducing these safeguards? Are these safeguards really necessary?

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Sir, if you refer to all those provisions which relate to the control of the municipalities provided for by the amending Bill, you will notice one thing curious in them—the president of the municipal committee has been indirectly insulted by being ignored. Section 231 which has been newly framed in place of the old section is made up of four subsections and three of them authorize the official appointed by the commissioner or the deputy commissioner or the commissioner or the deputy commissioner himself to correspond with the secretary only at the back of the president. I appeal to the House to say how far it is justifiable to ignore the president in this manner? It is the president who is the chief executive officer in all those places in which an executive officer has not been appointed. It is the president who on behalf of the municipal committee exercises supreme control over the administration of the municipal committee, the secretary being only a servant of the municipal committee. The municipal committee is not there in its own right but it is the corporate body which represents the people of the town and the treatment you mete out to the chief representative of the people is that you ignore him altogether, as if he never existed at all. How far will that be justifiable? It is no doubt true that on objections raised by some members of this Council in the last session the Honourable Minister for Local Self-Government has now been pleased to amend the section as originally proposed and to add that the secretary will condescend to inform the president that he has been pleased to comply with the requisition of the local government or of the officer who has been appointed in this behalf. Sir, is it fair? Is it just? Will it be helpful to the administration of the municipal committee if a secretary of a municipal committee is trusted more than the president of the municipal committee, a secretary who is only an employee of the municipal committee? He is not even required to consult the president beforehand as to what action he should take in connection with the requisition. This provision exists in a section which gives such plenary powers to the officer who is exercising the control. He has a right to inspect and to enter any property belonging to the municipal committee; to inspect or examine or cause to be inspected any book or any document which is in the possession or under the control of any committee; he can require any committee to furnish within a specified period such statements, accounts, reports, copies of documents relating to the proceedings or duties of the committee as he may deem fit and he may also enquire generally into the affairs of that committee and might submit his report to the higher officers and all that at the back of the president. The president may not be even aware of these proceedings, he may be absent from the committee, he may not even be informed of what is being done. The only thing that the secretary is bound to do under the Act is to inform the president that such and such a requisition or order of the local government has been complied with. This again is a very objectionable measure. Here again the proposed measure would not conduce to the good of the administration of the local bodies. It would rather hamper administering the local bodies in a business like manner, in a manner in which you want that the local bodies should be administered. I am not raising these objections on behalf of any community or class of people. I am bringing these matters before you

on behalf of the public of the Punjab and I would therefore appeal to the honourable members of the Government to view my observations in that light. I place all these observations before you so that you may know whether your amending Bill is really going to amend the Local Self-Government or to end it.

Then there are certain other matters which are mere matters of detail, but which also are most objectionable. I brought it to the notice of the House sometimes back. I asked, why should the local government interfere in a very petty matter of burial grounds? My friend the honourable member from Gujranwala, Mr. Labh Singh, is here and I believe he will support me in the matter that occasions arise when people of the town approach the president of a municipality with the request that a certain religious leader be allowed to be buried or cremated at the place where he has died. In my time of administration as well as in the time of Mr. Labh Singh thrice this occasion arose during the last 2 years. There was a religious leader of the Sikhs who died recently and Sikhs wanted to cremate him at the place where he had died. They approached me at the dead of night. They wanted that the cremation ceremonies should be allowed to be conducted in the morning as they could not delay it any longer. I complied with their wishes and they went satisfied. Now if even this power is taken away from the municipal committees and is vested in the local government, I dare say that the body would get decomposed and eaten up by ants before the local government will be pleased to sanction the burial or burning at the place where it is being proposed. I refer to page 25, clause 85 of this amending Bill which lays down the provision that I have referred to. In the first instance clause I says—

The committee by public notice order and, if so directed by the local government, shall within one month of the notification of such direction be deemed to have ordered, any burial or burning ground situate within municipal limits or within one mile thereof which is certified by the Medical Officer of Health to be dangerous to the health of persons to be closed.

Then on page 26, sub-clause (3) says—

No burial or burning ground, whether public or private shall be made or formed after the commencement of this Act, except with the sanction in writing of the committee which shall not be granted—

And then there is a big proviso attached to it which reads—

Provided that no such burial or burning ground shall be made or formed, except with the sanction of the local government.

Now, Sir, the provision is quite clear. It is no doubt true that the written permission of the municipal committee is required for any burial or burning ground to be made or formed but the municipal committee is not free in this matter. It is the sanction of the local government alone that can justify any action on the part of the municipal committee in this behalf.

Again you will be pleased to see that in the matter of latrines and urinals also it is the local government which is to issue the mandate from above. The local government, I am sure, will not feel any difficulties in this

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connection. In most of the other provisions also which have been incorporated in the amending Bill the language is most objectionable and it is necessary therefore that due attention should be paid to all the provisions before the honourable members of the House express their opinion one way or the other. One thing, however, I was surprised to see after the second select committee sat for their deliberations. It was after a very great effort that in the first select committee two provisos were carried in connection with the sections relating to the services of the municipalities. The Honourable Minister for Local Self-Government quite naively remarked that as the Bill had been before the House for such a long time and as two select committees had been given opportunity to go through the matter, he believed that the honourable members of this House would take his word and pass this Bill without any objection on their part. But, see what has happened. When the Honourable Minister for Local Self-Government and the Secretary for Transferred Departments saw that the persons who had objected to certain provisions being left intact and on whose insistence the two new provisos had been added were absent, they utilized that opportunity and again deleted from the Bill the same two provisos which had toned down the harshness of the original sections. It was laid down in clause 17 of the first amending Bill that when certain powers were exercised by the committee, the sanction of the local government would not be necessary if the resolution relating to "such remuneration, suspension, removal, dismissal or punishment was passed by a majority of the committee as constituted by section 11." Similarly it was provided in clause 18 that the sanction of the local government would not be necessary under similar circumstances. This had been incorporated in the amending Bill after a great struggle but when the second select committee sat, out of the ten things that they did, eight of which were very minor, placing a comma here or a full-stop there, these two important provisions which had been placed in the amending Bill in the teeth of the Government opposition were quite easily taken away, and the whole thing was left to the local government once more. Our contention was that if by a majority of the House a municipal committee came to a decision that a certain employee should be dismissed or fined or suspended, it should not then be within the power of the local government to interfere in that matter. It was for this reason that that provision was added; but, what do we see? That wholesome and salutary check on the grabbing propensities of the local government that was introduced in order to maintain the prestige and the dignity of the municipal committee has been once more removed.

Mr. P. Marsden : Why did not the honourable member attend the meeting of the committee in order that he might see to this? Is it not attributable to the negligence of the honourable member?

Mr. President : The honourable member is making a speech.

Khan Bahadur Shaikh Din Muhammad : Amending clause 17 stated—

Provided that the approval of the local government shall not be necessary if the resolution suspending, removing, dismissing or otherwise punishing him is passed by a majority of the committee as constituted by section 11.

This has been deleted in the present amending Bill. Similarly on page 16, the words—

Unless the resolution relating to such remuneration, suspension, removal, dismissal or punishment was passed by a majority of the committee as constituted by section 11

have been omitted from the amending Bill that is now before us. Before I proceed further I consider it my duty to explain my conduct before the Honourable House. I am glad that the Secretary for the Transferred Departments has given me an opportunity to ventilate my feelings in this respect also. I would have done so even without his interpolation but then I might have been ruled out as irrelevant. That irrelevancy has now been removed by this unnecessary interruption of the Secretary for Transferred Departments, and I feel perfectly justified if I refer now to that incident. The Honourable Minister for Local Self-Government is aware that we resented his attitude as a body on the day when we withheld our names from the select committee. We informed the Honourable Minister for Local Self-Government that we would refrain from taking part in the proceedings as we considered that our wishes in

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the matter and the wishes of the whole of the province that we represented were being so ruthlessly ignored, not by the Honourable Minister for Local Self-Government alone but by all those honourable members who adorn the Government benches (*hear, hear*). The members of the Unionist Party are men of self-respect. They are true to their words unlike the members of the party of the Honourable Minister for Local Self-Government. They do not blow hot and cold in the same breath.

Mr. President : I cannot allow personal references.

Khan Bahadur Shaikh Din Muhammad : I am not referring to any person whatsoever. I am referring to the Hindu and Sikh benches.

Mr. Nanak Chand Pandit : On a point of order. We have been silent all along and have not said a word. My submission is that the honourable member is casting reflections.

Mr. President : I have already intervened, and will not allow the honourable member to cast reflections.

Khan Bahadur Shaikh Din Muhammad : With your permission, I was going to submit that I have every right to explain my conduct to the House on an interruption which was made by the honourable member, the Secretary to the Local Self-Government Department. I was going to explain why I absented myself and I think that I am perfectly within my rights if I offer an explanation in that respect.

Mr. Nanak Chand Pandit : The honourable member is making the position worse by this explanation. He may justify his position without casting any reflection on others.

Khan Bahadur Shaikh Din Muhammad : We absented ourselves from the select committee because we had told the House that we would not attend. But supposing we absented ourselves, rightly or wrongly, is this

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the punishment to be inflicted upon the province for our absence? How will that be justified? We, four members, absented ourselves for certain private reasons, let it be so. We did not want to attend the deliberations of the select committee that was convened at Simla on the 1st, 2nd and 3rd of September. But will this be any justification for the Honourable Minister or the Secretary to the Department to delete those wholesome provisions? (Mr. P. Marsden: No, the Secretary, Transferred Departments, was not present). Will that be justifiable by anybody whoever attended the meeting to delete those wholesome provisions which had been incorporated as a result of the wishes of the select committee that deliberated on this Bill before? That is the point which I submit before the House. I have absolutely no mind or intention to arraign the conduct of any member of the House. If an explanation is demanded of me I am bound to give it lest this fact should be utilised against us.

I have explained to the House that there are certain minor provisions also which are most objectionable in addition to the major provisions. It is not for the sake of opposition that we are putting forward this opposition. We all know that our constitution is going to be modified. We all know that this House will not be in existence, say after 18 months or so. We all know that our outlook will then have been advanced, and our powers extended. And therefore it behoves us not to leave such a disgraceful legacy behind. If we have anything to give in legacy to those who follow us it should be something of which we as a House might feel proud, not a thing of which we should feel ashamed. Why should you take away all powers of local self-government which were conferred upon us by Acts of legislatures, enacted long, long ago, by orders of the executive passed generations back. Does it behove us when we are on the threshold of new reforms to do away with one stroke of the pen all those privileges that were granted to us in ancient times when the policy of administration was very conservative and the Government was run by the executive fiat and not by popular wishes. I would therefore appeal to honourable members of every section and of every party to consider the views that have been expressed before them on their own merits. Do not give the matter a communal tinge. The points that I have laid before the House affect the administration as a whole. Please do not be carried away by appeal to any communal feelings, and I daresay that those honourable gentlemen who condemned in most unequivocal terms the White Paper the other day will find it most inconvenient not to condemn this White Paper for the municipalities of the Punjab. (Applause).

Khan Bahadur Mian Ahmad Yar Khan Daultana (Muhammadan, Land-holders): Sir, it is very difficult for me now after the masterly survey of the situation and the eloquent speech of the honourable member from Gujranwala to make a lengthy speech condemning the Bill. I have only to make one or two observations of a general character in this respect. Had our party been a communal party or had our members been communalists or had it been our wish to establish a communal raj in the future as some honourable members of this House are afraid of or if we intended to bring about a rural oligarchy in this province it would be outside the interest of a member of my party

and community to oppose this Bill after the communal award. I think it is a matter for sincere gratification for all of us to see the Honourable Minister belonging to a minority community of this province and to a minority party in this House proposing such wide powers for the future government of this province which according to him would obviously be the product of the cup of poison. If we had the least intention of trampling upon the rights of other communities or of our urban brethren we would not have stood up to oppose this legislation which is going to place very wide powers, perhaps more powers than the White Paper places in the hands of Governors, in the hands of the future government. If our party play their cards properly they can legitimately and reasonably aspire to form the future government or at least be a basic party in the next constitution on whose goodwill and support the ministry will be able to function. I think we should have welcomed this motion of confidence in advance in the future government of this province proposed by the Honourable Minister who belongs to a community which is in the minority and which has been either genuinely or I do not know, pretending to be afraid of the communal *raj* and the rule of the rural oligarchy in the future. We, as every one knows, do not for a moment desire such a state of things. Our creed, as already indicated by me on several occasions, is the creed of humanity and our religion the religion of human brotherhood. We want no favours and we want to protect the rights of every section of the population of this province. We are Punjabis first and anything else afterwards. This explanation has been made necessary because my honourable friend Mr. Nanak Chand Pandit, remarked "Why should you be afraid of anything because you are going to have all the power in your hands in the near future"? (*Interruption*). It was very necessary for me to explain my conduct to my people who seem to think in this way and who are not conversant with the policy of our party and who advised us not to oppose the measure now.

Mr. President : I would request the honourable member to speak to the motion before the House.

Khan Bahadur Mian Ahmad Yar Khan Daultana : The Bill which is now before us is a measure that I cannot find words strong enough to condemn. I think this Bill is that bracket with a minus which will turn all existing pluses in respect of our constitutional rights and privileges into minuses. By this amending Bill the Honourable Minister proposes to take away almost all the powers that were enjoyed by the representatives of this province on the local bodies. My honourable friend from Gujranwala has discussed the various clauses of this Bill. I just want to say one or two words about the provision regarding the surcharge. There is a Persian proverb—

”هر چه بر خود نه پسندی بر دیگران میسند“

(Do unto others as you would be done by others).

If we are justified in passing this legislation we must first of all fine ourselves for voting for the hydro-electric project. We were responsible for plunging this unfortunate province into that unhappy enterprise. And if any

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municipality or any member is liable to pay for his misconduct I think before passing this Bill we must fine ourselves for having voted in favour of that scheme and the Honourable Minister should fine himself for the expenses that he incurred on the travelling allowances of the members of the select committee on this Bill last September. If he was to bring this Bill in this month, six months after Government came down to the plains, was there any necessity for him to get the members of the committee to Simla and pay their travelling expenses?

The Honourable Dr. Gokul Chand Narang : I would answer this question straightaway as it has been put to me.

Mr. President : The Honourable Minister may answer it when he speaks on the question.

Khan Bahadur Mian Ahmad Yar Khan Daultana : I myself have been at my wits end to understand the reason why the Honourable Minister has brought this measure before the House after the communal award. Had he done this after the White Paper was published, that would have made all the difference. But his intention in bringing forward this Bill before the contents of the White Paper were known, and after the communal award had been given, I cannot discover the reasons that prompted this action by him. I do not think that his chief lieutenant, the great Panditji of the Punjab had anticipated the contents of the White Paper. (*Mr. Nanak Chand Pandit :* Sir, I am not the lieutenant of the Honourable Minister for Local Self-Government). The great Panditji, the representative of the Hindu community in the 3rd Round Table Conference, I think, would not have expected such a magnificent fruit of his efforts (*Mr. Nanak Chand Pandit :* I followed Chaudhri Zafrulla Khan). I would repeat only one sentence of what my honourable friend from Gujranwala said, that it does not lie in the mouth of those who support this measure in this House to condemn the White Paper. My honourable friend the member from Gujranwala was pleased to call this Bill as the White Paper of this province. I would call it the Black Paper that the Honourable Minister is presenting to this province. Practically the effect of this Bill if it is passed into law, would be this, that it would cause the resentment of everybody whether he be the friend of Government or its foe. If the Government insist on the carrying out of the provisions of this Bill, the result would be that the ranks of the enemies and ill-wishers of Government will swell. If you ponder over the history of the last two years' working of this department under the present Government, you will find that the Punjab Government has unnecessarily given chances to offend people who were really very great admirers and loyal to the administration, because they could not prevail upon themselves to support or to co-operate with the Executive Officers Act. We have a large population in this country who are determined to bring about anarchy by means of bombs and revolvers. We have got here this proposed legislation by which the Government will alienate the sympathies of several of their admirers. I think perhaps this may be the only justification that might have prevailed upon the Honourable Minister to bring forward this Bill. Otherwise I cannot see that the Honour-

able Minister, with his record of the past, could lend his support to this reactionary measure. I think there must be something deep at the bottom. (*Hear, hear*).

If this Council lends its support to this measure after discussing the White Paper in the way it did, it shall be blamed of inconsistency. In this connection I am reminded of the story of the old woman with a hunchback who, instead of praying that her back may be straightened, prayed that the women of the whole world may become hunchbacks. Similarly, people may say that because the local legislatures have been made hunchbacks by the White Paper, they, in order to take revenge, have made local bodies also hunchbacked. Last night when I was going through the amendments which the second select committee was pleased to make in this Bill I remembered a very amusing story that happened about three years ago. It was in the month of July when I happened to be in Montgomery and had the pleasure of being invited to a dinner party. A fellow guest who had been working very hard throughout that hot day, when he entered the drawing room, instead of taking vermouth took a neat peg of whisky and said, 'Oh, damn it! I thought it was vermouth, but it is whisky'. After five minutes he asked the host to help him with another peg of the same strength as he felt that the first one had done him good. He accordingly had another neat peg and again took another. When we went to the dining table I had the opportunity of being seated by his side. After half an hour, he complained of heat that he felt within himself. Fortunately we had curd being served then. I suggested to him that he should take a large measure of curd to which he replied that it would spoil the whole effect. He would rather take a couple of other pegs with large sodas to dilute the whisky that he had already taken. (*Interruption*). I confess I could not understand the philosophy of my friend. The next day when I went to say good-bye to him at 3 P. M. the servant told me that he was still in bed. The Honourable Minister in making those amendments has only adulterated wine with neat whisky. If you add a sour thing of lesser severity to a thing that is already sour to a large extent you do not mitigate its sourness.

I have no direct knowledge or first-hand experience of local bodies but what I want to point out is this that instead of giving further powers to our local bodies we are taking away the little powers they possess, the powers which were granted to them by the predecessors of the Honourable Minister. I do not care so much if I do not get what I want; but I would certainly resent if something which I already possess is taken away from me. Love of power and love of liberty are always in eternal antagonism to each other. If we are to have power to control the municipalities of this province, we would be choking their liberty. I would appeal to my dumb friends on my left, if they are inclined to support this measure to speak out so that we may know the reasons why they are giving their support to it. It would not become my brilliant and intellectual friends to give a silent support to a measure of this kind. I may here give a very famous quotation—"Every legitimate authority should respect its extent and limits." If we, in order to take away all the powers from the municipalities, lend our support to this measure, I am afraid our successors, as my friend from Gujranwala was pleased to say, will not praise us, but would condemn us and call us their

[K. B. Mian Ahmad Yar Khan Daultana.]

unworthy predecessors. When I compare the speeches made by the Doctor Narang and the Minister Narang on the floor of this very House, I can only express my surprise in the following famous verse :

ضد بھی انسانوں کو انسانوں ت ہوتی ہے مگر
ایسی ضد کا کیا ٹھکانا ہے کہ مذہب چھوڑ کر
میں ہوا کان تو وہ کان مسلمان ہو گیا۔

which may be translated thus—

“ One can easily understand the persistent antagonism between persons, but the attitude of my friend defeats all the possibilities of imagination when I find that he has left the very creed of his life when I joined his creed.”

We were blamed for being a reactionary party. We now feel that our local bodies should enjoy our confidence and be free from our interference. It is unfortunate that our friend the Honourable Minister does not agree with us even on an occasion when we have decided to think in the same way as he used to think a few years ago. Is it the fruit of office that has changed his old taste? (*Mr. Nanak Chand Pandit*: Responsibility). My friend Mr. Pandit says it is responsibility. Sir, I am reminded of a very famous verse of Shakespeare “ Responsibility may be as stubborn as a bear, but it is often led through the nose by the gold chains of office.”

Khwaja Muhammad Eusoof (South-East Towns, Muhammadan, Urban) (*Urdu*): Sir, not very long ago the Honourable Minister by passing the Punjab Municipal Executive Officer Act sounded the death-knell of municipal administration in the Punjab, and he now wants by this Bill to see its burial. In fact this Bill is absolutely unnecessary, for the Municipal Act now in force already gives such powers to the commissioners and deputy commissioners as are intended to be given by this amending Bill. I wonder why the honourable member, a well-known nationalist, should think it fit to deprive the local bodies of the freedom of action. If you say that we are unfit for Local Self-Government it is a serious reflection both on the British Government and on the Honourable Minister himself. I would like to quote the following few lines from the minute of dissent recorded by my honourable friend from Muzaffargarh—

In my opinion the district officers have it in their power to make Local Self-Government a greater success than it is at present, by taking steady and continuous interest in municipal administration, and regarding the work and difficulties of municipal bodies with greater sympathy.

There I quite agree with him. I have been in touch with the municipal administration for the last 9 or 10 years. I have been a member of a municipal committee of which I am now the President. In both these capacities I have acquired sufficient knowledge and experience of the municipal work. Therefore from my personal experience I can say that if the commissioners and deputy commissioners are directed to take interest in the municipal work, the necessary reform can be easily effected. Mr. Ferguson has been recently appointed Commissioner of the Ambala division. He takes a great interest in the work of local bodies. It is due to his keen

supervision which, in the opinion of some people, has become a mania with him, that the district and municipal board administration has considerably improved. Mr. Ferguson's ability is also acknowledged by the Government, as it is his division where all the young Indian Civil Service officers are sent. His division is said to be a training college with Mr. Ferguson as its Principal. I would urge that the Honourable Minister instead of passing such stringent measures as cut at the very root of freedom should direct the commissioners and deputy commissioners to take more interest in the municipal work than they have been taking hitherto. If that is done I am sure that the municipal committees would begin functioning as efficiently as you require them to do. I would appeal to the honourable members on Government benches that they should not support this Bill which if passed into law would further agitate the already agitated minds of the people. This will surely increase your anxieties. The people would question your *bona fides*, and say that you intend to deprive them of the opportunities already afforded to them to get themselves trained in the art of local self-government. I would also warn the Honourable Minister that if to-day he will not act according to the wishes of the Unionist party he will rue the day when he would be called upon by people, who have made so many sacrifices for getting Indians high posts, to explain his conduct with regard to this nefarious measure. With these words I strongly object to the motion now before the House.

Mr. P. Marsden (Secretary, Transferred Departments): Sir, I am extremely sorry to say that once again the discussion has taken a communal turn in connection with this Bill (*Voices!* No, no). I understood that the Bill was thought to be against the interests of a particular community, but if I am mistaken I am extremely glad. And I am very glad that the Bill is going to be discussed piece by piece, and section by section, because so far there has been extremely little discussion on this Bill on the merits. It was framed nearly two years ago now, by a brain of very mediocre intellectual capacity, and it was a Bill which was easy to understand. Indeed I think that the Bill might have been considered on its merits a long, long time ago, seeing that there were in it no sections of such complexity or abstruseness as would be difficult to follow. Now at last it is going to be discussed on its merits.

What struck me again to-day, as it struck me before, is that there seems to be a considerable amount of misapprehension about the words "Local Self-Government." There still appears to be an idea that local bodies should be independent of the central government, and that any attempt to control and to guide the local bodies in the right direction should be resented as opposed to democracy. There also appears to be an idea that such is not the state of affairs in European countries, particularly in England. As a matter of fact, if you follow the history of local self-government in England, you will find that the fact is that we have advanced in India by leaps and bounds to a position to which England has partially after many centuries attained, and to which it is still continuing to attain. In England two or three centuries ago every local body, such as it then was, was very vigorously restrained and controlled by the central government. Then in the revolution of 1688 various commissions such as the Star Chamber were abolished in the wave of democracy that then surged over England.

[Mr. P. Marsden.]

Then for about 140 years you had absolutely no control over local bodies at all, and the results were extremely evil. By 1884 or 1885 when the Reform Acts and the Local Self-Government Acts were passed, there was a mass of corruption and intrigue, and you had your rotten boroughs which performed no other function except that of returning corrupt members of Parliament. Consequently there has been a reaction, and for the last seventy or eighty years there has been a movement in England in the direction of establishing very much stronger control from the centre. Of course the argument usually urged is that whatever control you have in England is only based on the grant system; that the government in England, unless it has given a grant for a particular purpose, does not control any department of administration of local bodies. That is true to a certain extent. But you will find that the grant system is being used as a sort of device for extending central control. Originally when a grant was given, there was control only of that particular department for which the grant was given. But of late years the amount of grants has increased by millions of pounds, and with the increase there has come a change of principle. Only four years ago, in 1929, the government secured the passage of an Act called the Derating Act; and by that Act industrial centres were freed from taxation, and it was necessary for Government to give an enormous amount of increased grants, as it was a principle of the Bill that though there were less taxes to be paid by the industrial section of the community, it should not be necessary that other sections of the community should have to pay more. Hence the system of exchequer grants was started. That was a sort of system of consolidated grants, by which enough money was supplied to do away with the necessity of taxing other sections of the community. When that Act was passed, a very striking new principle came into evidence, which illustrates my point. It was then laid down that a grant which is given by the Government may be taken away from the local body, not only if the local body is not functioning in the particular direction for which the grant is given, but that any other grant may be taken away from the local body which was given for any other purpose. It was provided that grants may be taken away by Government from a local body if that body is not functioning economically, or if it is being extravagant in the matter of its staff, and not only that, but that they may be taken away if the local body is not functioning efficiently, or if there is no progress manifest in its working. That is to say, by means of these grants Government insists on progress, efficiency and economy in the various departments of the committee. The net result is that the Government does in fact control the local bodies in very much the same way as, for example, they are controlled in this country: because it would be absolutely impossible—it is in practice absolutely impossible—for the local bodies to refuse to accept the suggestions, the advice and the inspections which are ordered by the Ministry of Health, from fear of the threat of the withdrawal not only of one grant but of all the grants. It may be true that at the bottom there is the root principle that control is based on the grants, but at the same time if you find that grant system is deliberately being utilised to increase the control of the central government, then I think one is justified in saying that even in a democratic country like England there is not apparent

any incompatibility between the principles of liberty and of control by the central government. And it is difficult to see why we should not take advantage of the experience that that country has gained, why we should not leap where it has been creeping.

In France you already have the principle of central control far more developed even than in this country, and there, as many members of this House are aware, local bodies function in an extremely efficient and desirable manner. One might say that in the United States of America there is less control. But if there is one point in respect of which the American political system could be criticised, if there is one prominent and obvious weakness in the American political system, it is in the direction of local self-government, of the administration of the local bodies.

Now, granted that there is in England nominally less control, one has still to remember that the whole system of Local Self-Government is different, and it is that difference which to a large extent does or might make central control less necessary. I refer to the very considerable interrelation and inter-dependence of the various local bodies on one another. You have there the County Council, which, not very closely but to some extent, may be taken to represent the district board.

Chaudhri Allah Dad Khan : How is that relevant? The honourable member has all the time been describing the institutions of England.

Mr. P. Marsden : You have the borough council, the urban district council, and the rural district council, which bodies are to some extent urban and to some extent rural, and all are very closely connected together for various purposes. For example, in the matter of taxation, if a county council wants to raise money, it precepts the other local bodies for a tax. There is one rate of taxation fixed throughout the whole of a county, a rate which is the same for all the various local bodies of that county, and when another local body, such as an urban district council or a borough gets a rate precepted upon it, it is its duty to adjust the rate, in consultation with other local bodies, in such a manner that it can supply the amount of money required by the county council. Well, when you have all these bodies so closely related together for taxation purposes, it is easy to imagine how extremely wide-awake each body would be with regard to the administration of every other body; and if you find that one local body is being extravagant, or if you find that it is assessing the residents in an unfair way, under-assessing them or over-assessing them, you will also very soon find criticisms raised from other bodies outside it. Again, in the matter of roads, there are many cases where one body, borough council or district council maintains roads and receives the cost of maintaining them from another body, such as the county council.

Chaudhri Allah Dad Khan : Are these bodies that you are describing exactly like the bodies in this province?

Mr. P. Marsden : And there are other ways in which they are closely connected together, as, for example, by the custom of a joint committee being formed by different local bodies. To some extent you can have committees of local bodies sitting together under our Punjab Acts; but in England it is not only possible, it is a common practice for the councils, say, of a borough or a county council, to form a joint committee and to sit

[Mr. P. Marsden.]

together to discuss matters which relate to the two bodies. That is to say, it is quite obvious that the whole system of local Government administration in England is entirely different from that in this country or in this province. When one says that safeguards are neither necessary nor is there any precedent for them in other countries, one must bear in mind the particular local and historical circumstances of those countries.

Khan Bahadur Din Muhammad recalled to us that one of the objects of local self-government is the political education of the people. Well, to some extent it appears that that object has in this province been attained. As it has been considered that there has been sufficient political advancement in the country to justify the inauguration of the coming system of government, one may be justified in arguing that that object, namely, the object of giving political education, is no longer so urgent as it was before. And in this connection one little point struck me when Mr. Ahmad Yar Khan was speaking. He was saying that he himself, one of the leaders of a great party in this House, had no knowledge or experience of local bodies. That is a very striking and significant admission, and I also think I am right in saying, I say it subject to correction, that none of the Honourable Ministers of the past or of the present have been members of municipal committees (*hear, hear*). Two of them have been members of district boards, and I had the honour to be myself associated with them in that capacity. But I think not one has been a member of a municipal committee. So it is interesting to notice that experiences gained at the Bar, or from the life of a country gentleman, appear to have fitted the inhabitants of this country for holding high offices of government better than membership of local bodies (*hear, hear*). In this connection, there is one great apparent difference between honourable members on the opposite side and those sitting here. (*Interruption*).

Mr. President : No interruption please.

Mr. P. Marsden : The honourable members who have spoken have alluded to the need of uncontrolled local self-government, but not at all to the welfare of the people and the need for advancing that welfare, whereas we on this side of the House are anxious only for that one thing. We have no concern, we know very little about political angling, wangling and dangling ; we simply want to try and increase the welfare of the people of the towns of the Punjab (*hear, hear*), and that and that only, is the object of this Bill. I therefore sincerely hope that there will be absolutely no bitterness throughout the rest of this discussion, and that everybody will realize, and the honourable members opposite realize, that the object of this side of the House is precisely the same as what I believe theirs to be.

Khan Bahadur Din Muhammad went into the Bill in some detail, and I was very interested to find that for every one of the points which he mentioned there is an extremely good answer. It is a pity that the Bill has not been discussed by all the benches of this House in detail before, because I am quite certain that in every section of this Bill agreement or compromise could very easily be reached. There are a tremendous number of amendments that have been framed, and with some of the amendment Government is in sympathy. I imagine that, now that this Bill is to be

fairly and squarely thrashed out, agreement could be reached with regard to a large number of sections. And now, as regards the particular points raised by the honourable member, I would like to say a few words. The clause upon which he expatiated with most particular vehemence was the clause relating to the surcharge. I am quite certain that he would alter his point of view if his information on the point was slightly greater. I think I am right in saying that he did not mention that he was aware that the Government already has power to make rules for surcharge, under section 240 of the existing Act. If the Government wanted to, any moment it could make such rules, and these rules could take whatever form the Government wished, consistent with other sections of the Act. I should have thought that honourable members would have appreciated the fact, had they been aware of the existence of this section, that the Government prefers that a decision should be made by this House, and not to issue rules before this House has been consulted. I doubt also if the honourable member was aware that there are, there may be more than two, but at least two of the provinces, where there is a system of surcharge very similar to this system now in force. I refer to Madras and to Bihar and Orissa. There you have a system of surcharge, and it is interesting to note the method of appeal provided for under the Bihar and Orissa Act.

Shaikh Muhammad Sadiq : When was it passed ?

Shaikh Abdul Ghani : What section of the Bihar and Orissa Act is the honourable member referring to ?

Mr. P. Marsden : I cannot recollect the section, but it is not a matter of great consequence. The method of appeal provided for in the Bihar and Orissa Act is this. An order of surcharge can be made on any member by the auditor, if any loss has been caused by his negligence or misconduct, and the procedure for appeal is that the members may appeal to an *ad hoc* committee.

Chaudhri Allah Dad Khan : The honourable member is not entitled to quote from any book unless that is placed on the table of the House.

Mr. P. Marsden : The member may appeal to an *ad hoc* committee appointed by the Governor in Council. So there are at any rate, even in this country, extremely good precedents for a rule of this sort. And I will again for a precedent go to a European country, to England. There you have a system of surcharge, and the power is very constantly exercised. In most of the local bodies there can be audit on behalf of the Government by what are called district auditors. In a certain number of borough councils it is not necessary that the accounts should be audited by the district auditors, but the number of such boroughs is getting less and less. Now it is interesting to notice that if any member is surcharged £500 or over he is disqualified from future membership.

Mr. President : Gentlemen, further discussion on the Municipal (Amendment) Bill will be continued to-morrow. After question time to-morrow elections to the Railway Advisory Committee, which were fixed for to-day, will take place.

The Council then adjourned till 2-30 p. m. on Friday, the 31st of March 1933.

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PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Friday, 31st March 1933.

THE Council met at the Council Chamber at 2-30 P.M. of the clock. Mr. President in the chair.

STARRED QUESTIONS AND ANSWERS.

REMOVAL OF MEMBERS OF KASUR MUNICIPAL COMMITTEE.

***2440. Khan Bahadur Shaikh Din Muhammad :** Will the Honourable Minister for Local Self-Government please state—

- (a) whether any members of the Municipal Committee, Kasur, were removed in 1927 ;
- (b) if so, whether they were permanently disqualified or whether they are eligible to stand for re-election ?

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

(b) They were not permanently disqualified, as Government were pleased to direct under sub-section (2) of section 16 of the Punjab Municipal Act, 1911, that the disqualification imposed on the gentlemen in question shall cease to have effect after the 4th November 1932. They are therefore eligible to stand for election.

FAMINE TEST WORKS IN HISSAR DISTRICT.

***2441. Rai Bahadur Lala Sewak Ram :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that the famine test work at Pirthala in the Hissar district attracted workers in considerable numbers and the number of workers was above three thousand when the camp was shifted to Dangra ;
- (b) whether it is a fact that the famine test work at Dangra is also attracting considerable number of workers which is about two thousand ;
- (c) whether it is a fact that the famine test work opened at Chandar Kalan, tahsil and district Hissar, attracted nearly 1,500 workers on the first day of its opening ;
- (d) whether it is a fact that neither the whole of Hissar district nor the *ilaga* surrounding Pirthala, Dangra and Chandar Kalan, has so far been classed as a " famine district or sub-division ;"
- (e) if the answer to (a), (b), (c) and (d) be in the affirmative, whether Government intends to ask the Deputy Commissioner, Hissar, to send a report and telegram as prescribed by sections 53 and 60 of the Punjab Famine Code, 1906 (if he has not sent such report and telegram up to this time) ?

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

(b) Yes ; but the number has since decreased. It is now about 1,200 only.

(c) and (d) Yes.

(e) The Deputy Commissioner, Hissar, submitted a report as required by section 58 of the Punjab Famine Code. Government are being kept informed regularly of the number of workers attending the test works.

BHAKRA DAM PROJECT.

***2442. Rai Bahadur Lala Sewak Ram :** Will the Honourable Member for Revenue kindly state—

(a) whether it is a fact that hundreds of villages in the Karnal district and in the Fatehabad, Hissar and Sirsa tahsils of the Hissar district are under fluctuating assessment ;

(b) whether it is also a fact that there has been no crop in most of these villages from *kharif* 1925 to *kharif* 1932, and the Government has received a small fixed revenue only for grass and fuel from these villages for the last seven years ;

(c) whether it is also a fact that most of these villages in the Karnal district and nearly all such villages in the Sirsa, Fatehabad and Hissar tahsils are covered by the Bhakra Dam project ;

(d) if the answer to (a), (b) and (c) be in the affirmative, whether Government would take such steps as to expedite the construction of the project mentioned above and thus save itself from yearly loss of large amounts of revenue and the people from the recurring famines ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The honourable member is referred to the reply given to Council question No. 2439¹ starred.

BHAKRA DAM PROJECT.

***2443. Rai Bahadur Lala Sewak Ram :** Will the Honourable Member for Revenue kindly state—

(a) whether it is a fact that the late Honourable Member for Revenue while speaking on 28th February, 1929, in the Punjab Legislative Council on the Bhakra Dam project resolution at the end of his speech which was published in volume IX of the Punjab Legislative Council Debates, dated 28th February, 1929, plainly said that the Punjab Government as well as this Council is definitely committed to the construction of the Bhakra Dam project ;

(b) whether it is a fact that the expert committee on the Dam in their report, dated 2nd January, 1928, laid stress on early construction of the railway line from Rupar to Una via Anandpur for which the North-Western Railway had carried on surveys many years ago ;

¹Pages 749-50 ante.

- (c) whether it is also a fact that the construction of the railway line will take many years and the work on the Dam site cannot be started without construction of the railway line mentioned above ;
- (d) whether the North-Western Railway has not taken the construction of the railway line in hand up to this time ;
- (e) if the answer to (a), (b), (c) and (d) be in the affirmative, whether, in view of the fact that the Punjab Government as well as the Punjab Legislative Council is definitely committed to the construction of the project, the Government will be kind enough to request the North-Western Railway to take in hand the work of the construction of the railway line mentioned above as soon as possible ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The Honourable Member for Revenue used these words. His meaning was that the Council and Government at that time favoured the project being proceeded with.

(b) The Expert Committee advocated the early construction of the railway line should it be decided to proceed with the construction of the Dam.

(c) The construction of the line will take two or three years. A line will be necessary for the construction of the Dam.

(d) No.

(e) Does not arise.

ALLEGATIONS AGAINST CHAUDHRI MUHAMMAD HUSSAIN, B.A., B.T.,
HEADMASTER, MUNICIPAL BOARD HIGH SCHOOL, WAZIRABAD.

***2444. Rai Bahadur Lala Sewak Ram :** Will the Honourable Minister for Education please state—

(a) whether he is aware that the municipal committee, Wazirabad, passed resolutions—

No. 4-1, dated the 1st July 1932,

No. 1, dated the 1st July 1931,

No. 19, dated the 26th February 1931, and

No. 37, dated the 3rd November 1931,

requesting the Inspector of Schools, Lahore, to transfer Chaudhri Muhammad Hussain, B.A., B.T., headmaster, M.B. High School, from Wazirabad ;

(b) if so, what action has been taken on them ;

(c) whether there is any truth in the allegations !

(i) that the said headmaster committed certain irregularities and during his term of office there was wholesale withdrawal of the Hindu boys from his school, and

(ii) that on the Education Department having detected irregularities and asked for his explanation, he evaded all this ;

[R. B. Lala Sewak Ram.]

- (d) whether it is a fact that the committee again passed a resolution on 4th March 1933 to keep him on at Wazirabad ;
- (e) whether it is a fact that he has not yet been suspended although an enquiry into his conduct is being made ;
- (f) what action, if any, Government proposes to take in this connection ?

The Honourable Malik Sir Firoz Khan Noon : The information is being collected and will be supplied when ready.

PROMOTION OF SHAIKH ABDUL HAMID, LECTURER, GOVERNMENT
COLLEGE, LAHORE, TO P. E. S.

***2445. Thakur Pancham Chand :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that Shaikh Abdul Hamid, lecturer, Government College, Lahore, has been promoted to P. E. S., class II, with retrospective effect ; if so, from what date ;
- (b) his qualifications and in which division or class he was placed in B.A. and M.A. ; whether he has any foreign qualifications ; and the class or division of degrees, if any, obtained ;
- (c) the date of his appointment in Government service, the date of promotion to 200—10—250 grade and the date of promotion to P. E. S., class II ;
- (d) whether it is a fact that his case was put up for P. E. S. in 1929 and the then Minister for Education considered him unfit for such promotion ;
- (e) the date on which final orders to promote him to P. E. S. were passed and the date when the orders were gazetted ;
- (f) whether it is a fact that orders of promotion were gazetted after a long time ; if so, the reasons for it ;
- (g) whether there is any precedent of a similar retrospective promotion in the department ?

The Honourable Malik Sir Firoz Khan Noon : (a) Yes, from 29rd September 1929.

- (b) B. A. II Class.
M. A. (Mathematics) III Class.
Mathematical Tripos (Cantab).
II Part, III Class (Junior Opt.).

It may be added for the honourable member's information that Shaikh Abdul Hamid is the only teacher of Mathematics in the Department, who has English qualifications. It may further be added that the professor of Mathematics who belongs to the honourable member's own community has been promoted by this Ministry to P. E. S. class I, even though he does not possess European qualifications. But the Ministry is fully satisfied about the excellent work done by both the officers concerned and considers their promotion fully justified by merit.

(c) Date of appointment to Government service ..	9-5-24
Date of promotion to Rs. 200—250 grade ..	1-9-29
Date of officiating appointment in P. E. S... vacancy	23-9-29

It may be added for the honourable member's information that owing to an omission the question of Sheikh Abdul Hamid's drawing the salary of his officiating appointment in P. E. S. could not be decided earlier and that this mistake having recently been pointed out has been rectified.

(d) On his return from England Shaikh Abdul Hamid was recommended by the then Director of Public Instruction for promotion to P.E.S., but as he was in Rs. 140—190 grade, under standing orders of the department, he could officiate only in the next higher grade, but as subsequently he was promoted to Rs. 200—250 grade from 1st September, 1929, his officiating appointment in a P. E. S. vacancy from 23rd September 1929 entitled him to the time-scale pay of P. E. S. It will perhaps interest the honourable member to know that previous to Sheikh Abdul Hamid's officiating promotion to P. E. S. and even after, a number of III class M.As. of Indian Universities had been permanently promoted and even appointed direct to P. E. S. The honourable member may further be interested to know that during Shaikh Abdul Hamid's absence on leave 21 of his juniors were promoted to Rs. 200—250 grade, 5 of whom are now in P. E. S., 4 permanent and one provisional—and out of these 5 only one possesses European qualifications.

(e) Date on which final orders of promotion were
passed 25-1-33

Date on which the orders were gazetted .. 8-2-33

(f) No.

(g) Yes.

CLASSIFICATION OF S. SHIV SINGH OF GAJJOO GARI, PRISONER.

***2446. Sardar Bishan Singh :** Will the Honourable Member for Finance please state—

- whether it is a fact that Sardar Shiv Singh of village Gajjoo Gari, district Gurdaspur, was imprisoned under section 108 and was given C class ;
- if it is a fact that he pays about Rs. 150 as land revenue ;
- whether he was a member of District Board when he was sentenced ;
- whether he was a *sarpanch* of the village panchayat ;
- whether he was a member of S. G. P. C. ;
- if the answers to questions (b), (c), (d) and (e) be in the affirmative, whether the Government is prepared to give him B class ?

The Honourable Sir Henry Craik : (a) Yes.

(b) No.

(c) Yes.

(d) and (e) Yes.

(f) No. Membership of the bodies mentioned does not necessarily imply that a prisoner is accustomed to a superior mode of living.

ADMISSION OF MUSLIMS TO THE MACLAGAN ENGINEERING COLLEGE.

***2447. Chaudhri Faqir Husain Khan :** Will the Honourable Minister for Agriculture kindly state—

(a) the percentage of Muslims admitted to class B of the MacLagan Engineering College, Moghalpura, as the result of the competitive examination held in 1932 ;

(b) whether the percentage of Muslims admitted to class B of the said college is commensurate with the percentage fixed for them, i.e., 40 per cent. of the total number of students admitted to this college ;

(c) whether it is a fact that no percentage is fixed re the admission of Muslim candidates from the Railway department, if so, why ;

(d) the number and percentage of Muslim candidates of the Railway department admitted to this college ?

The Honourable Sardar Sir Jogendra Singh : (a) 40 per cent.

(b) Yes.

(c) Yes. The reason is that Railway candidates who are the sons or grandsons of North-Western Railway employees are admitted by selection by the Railway Authorities.

(d) In each of the years 1931 and 1932 out of the 15 candidates admitted five were Muslims. This gives a percentage of $33\frac{1}{3}$.

MUSLIM REPRESENTATION OF THE TEACHING STAFF OF MACLAGAN ENGINEERING COLLEGE.

***2448. Chaudhri Faqir Husain Khan :** Will the Honourable Minister for Agriculture kindly state—

(a) whether it is a fact that in 1929 Mr. S. S. Bhatia applied for the post of a lecturer in the MacLagan Engineering College in the grade of Rs. 250—15—400 and that his application was rejected ;

(b) whether it is a fact that Mr. Bhatia again applied for a higher post in the grade of Rs. 300—25—600, and that his application was rejected by the then Chief Engineer, Mr. Macfarlane, but he was appointed to this post by the Honourable Minister for Agriculture ;

- (c) whether it is a fact that the number of Muslim professors and lecturers in the MacLagan Engineering College was very small at that time? If so, the reasons for not giving this post to a Muslim?

The Honourable Sardar Sir Jogendra Singh : (a) The facts are not correctly stated. Mr. Bhatia was selected for an appointment as lecturer but before the offer could be made to him an officer of the College who was on deputation to another department reverted to the College thereby filling the vacancy.

(b) The reply is in the negative.

(c) No. The number of Muslim professors and lecturers was the same at that time as it is now. Moreover no suitable Muslim applied for the post.

MUSLIM REPRESENTATION ON THE TEACHING STAFF OF MACLAGAN ENGINEERING COLLEGE.

***2449. Chaudhri Faqir Husain Khan :** Will the Honourable Minister for Agriculture kindly state—

- (a) the total number of professors and lecturers in the MacLagan Engineering College, Moghalpura ;
- (b) the number of Muslims, Hindus, Sikhs, Europeans and Christians, respectively, among them ;
- (c) whether the number of Muslim professors has not reached 40 per cent. of the total between the years 1926 to 1933 ;
- (d) if so, why no action has been taken to redress this inequality in the representation of Muslims in this College ;
- (e) whether it is a fact that about four months ago, four Hindu professors and lecturers were confirmed in their respective grades ;
- (f) whether it is a fact that a Muslim lecturer who had put in five years' service has not been confirmed in his grade ; if so, why ?

The Honourable Sardar Sir Jogendra Singh : (a) 14.

(b) 3 Muslims, 5 Hindus, 4 Sikhs and 2 Europeans.

(c) No.

(d) The honourable member's attention is invited to the statement made in the Punjab Legislative Council on 19th July 1927 by the Finance Member explaining the policy of Government in the matter. It is proposed to adhere to that policy.

(e) No.

(f) No.

SHORT NOTICE QUESTION AND ANSWER.

RECRUITMENT OF SIKHS AS INSPECTORS OF POLICE.

Sardar Buta Singh : Will the Honourable Member for Finance kindly state—

- (a) whether any Sikh has been recruited directly as inspector of police during the last four or five years ;

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- (b) when the last Sikh inspector was recruited directly ;
- (c) whether any Board was appointed recently to select candidates for appointment as inspectors of police ;
- (d) the number of appointments to be made as a result of this selection ;
- (e) whether any Sikh has been selected by this board, a meeting of which was held at Phillaur on or about the 24th of this month ;
- (f) if reply to (e) is in the negative, the reasons for not selecting a Sikh.

The Honourable Sir Henry Craik : (a) Out of 5 direct appointments made between 1928 and 1931, 3 were Sikhs. Recruitment has been suspended since 1932.

(b) In 1930.

(c) Yes.

(d) Two.

(e) Selection has not yet been made as the recommendations of the Board have not reached the Inspector-General.

(f) Does not arise.

UNSTARRED QUESTIONS AND ANSWERS.

LAND GIVEN TO EDUCATED YOUNG MEN.

655. Mr. E. Mayadas : Will the Honourable Member for Revenue be pleased to state—

- (a) what area of land has been given to educated young men for cultivation, and what is their number ;
- (b) when this land was given ;
- (c) whether these young men are cultivating the land personally or through tenants, etc. ;
- (d) whether any of these young men have given up the land and come away ;
- (e) in what place this land has been given ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The honourable member is referred to the answer given to question No. 499¹ (unstarred) asked by Chaudhri Shah Muhammad on the 17th November, 1932.

SUGARCANE CULTIVATION IN FEROZEPUR TAHSIL.

656. Mr. E. Mayadas : Will the Honourable Member for Revenue please state—

- (a) what area was under sugarcane cultivation in the Ferozepur tahsil during the year 1932-33 ;

(b) if information be available then the area under improved varieties ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) 2,866 acres.

(b) *Desi* 2,104 acres.
Improved variety 262 acres.

DEMAND FOR AGRICULTURAL PRODUCE.

657. Mr. E. Mayadas : Will the Honourable Member for Revenue be pleased to state if there are any crops being cultivated whose produce is in excess of the needs of the province, and for which there is no demand outside the province, if so, what are these ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : In view of the vagueness of the question and in the absence of definite data I am not in a position to answer the honourable member's question.

NORTH-WESTERN RAILWAY ADVISORY COMMITTEE (ELECTIONS).

Mr. President : The Council will now proceed to elect three members to the North-Western Railway Advisory Committee. Voting papers containing the names of the candidates will be distributed among members who will mark their votes. The papers will then be collected and the results announced in due course.

SITTINGS OF THE COUNCIL.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member): Sir, I received a requisition from several honourable members yesterday that the house may be adjourned to enable the Muslim members to go to their homes in time for 'Id. I suggest that we should sit on the 1st and the 3rd of April. This will enable the honourable members to get away in time for 'Id celebrations. In the letter conveying this request to me it was mentioned that 'Id will either fall on the 4th or the 5th. Actually it will fall on the 6th. Members can therefore easily get to their homes if they leave Lahore on the evening of the 3rd after the Council session. If this suggestion is accepted it would, I trust, meet the wishes of all members. It is of course for you to decide, Sir, whether the House should sit to-morrow, which is a Saturday.

Mr. President : I have no objection to meet to-morrow, but it is probable that the Business of the Council will not be finished before the 10th or the 11th.

The Honourable Captain Sardar Sir Sikander Hyat Khan : If we do not sit to-morrow we shall have to sit on the 4th in which case some members may find it difficult to get to their homes in time for the 'Id. My suggestion is that we sit to-morrow.

Khan Bahadur Mian Ahmad Yar Khan Daultana : We have already fixed our engagements for to-morrow.

Khan Bahadur Mian Muhammad Hayat Qureshi : May I suggest to the Honourable Leader of the House to also allot some time for the discussion of the Report of the Indebtedness Enquiry Committee which could not be discussed the other day ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I will be glad to give time for the discussion of the Report of the Indebtedness Enquiry Committee immediately after the Municipal Amendment Bill is finished. Mr. President, if you decide to take the sense of the House as to whether they should meet on Saturday, may I suggest that you put to them the alternative proposals, namely, whether the honourable members would like to sit on Saturday and Monday, or on Monday and Tuesday ?

Chaudhri Allah Dad Khan : Sir, we have never before sat on Saturdays.

Mr. President : In case of emergency the Council may sit even on a Sunday.

Chaudhri Allah Dad Khan : We have had too much strain (*laughter*). This fact must also be taken into consideration. We cannot get on like bullocks. Besides, the convention of the House should not be broken unless there is a serious and urgent necessity.

The Honourable Sir Henry Craik : Yes, there is.

Mr. President : Let us wait till 6 o'clock.

THE PUNJAB MUNICIPAL (AMENDMENT) BILL.

Mr. President : The Council will now resume discussion of the motion before it.

Mr. P. Marsden (Secretary, Transferred Departments) : Sir, I just mentioned yesterday some points in which Khan Bahadur Shaikh Din Muhammad was misinformed on the question of surcharge. I had just remarked that in England when a member of a local body is surcharged he is liable to disqualification if the amount of the surcharge is as much as £ 500. That shows that surcharge in England is a fairly serious matter. The honourable member also objected as regards the powers of appeal, and the summary way in which the amount surcharged may be collected. I would point out that in England also there is just such a summary power. In England also the amount may be collected within 14 days. What is more, the method of recovery is by distress and sale of the offender's goods. I would also point out that in England there is a power of appeal for every ratepayer against orders of auditors when they do not surcharge.

There is one more point which I have to bring to notice about surcharges ; and here again I was extremely surprised that the honourable member was either misinformed or had no information. Can it be that the honourable member has never read the Punjab Act, 4 of 1922, " an Act to foster and develop local self-government in the rural areas of the Punjab," in other words, the Panchayat Act ? That Act was passed under the

auspices of Khan Bahadur Mian Sir Fazli-Husain, and there was very little objection to it, no objections whatever on behalf of any rural member of this House. Now, according to that Act—

Every panch shall be liable for the loss, waste or misapplication of any money or other property belonging to the panchayat, if such loss, waste or misapplication is a direct consequence of his neglect or misconduct while a panch.

You will see that there is a striking similarity between the clause of that section and the clause in this Bill. Now, how is the amount to be collected? How is this surcharge to be assessed?

The Collector may on the application of the panchayat or any rate-payer summarily assess by order in writing the amount due to the panchayat on account of such loss, waste or misapplication.

How is the recovery to be made? The amount may be recovered as if it were arrears of land revenue. Now I would like to ask the honourable members, was it not simulated indignation on the part of the honourable member? Was it not an unjustified attempt at making our flesh creep? Ought not the honourable member to have informed the House that here already we have a section corresponding to this clause in the amending Bill, that this House agreed to this provision in that Act, and that none of the members of this House representing rural interests ever objected to this clause in that Act? I would therefore ask the House to be extremely careful and take his remarks of yesterday with a grain of salt. (*Hear, hear*). What is the object of this section? The object of it is to protect all of us, to protect the rate-payers, to protect all the residents in towns, from the careless and irresponsible employment of our money. The need for such a section is obvious. In practice, of course, it is rarely used. I do not believe it has been used in the case of the panchayats. Still here it is. The panches have so far functioned extremely successfully. Are we not entitled to say that this clause assisted in the success of their functioning? (*Hear, hear*). And yet, the honourable member announced to this House yesterday that "no civilised Government would penalise the municipal commissioners in that iniquitable way." Just think of the way in which the honourable member endeavoured to bamboozle the House and to create in honourable members a sense of indignation which ought never to be there. (*Hear, hear*).

The honourable member remarked that there was another objection and that was that the deputy commissioners had no judicial experience. I would like to point out to honourable members that things are now changing. Executive officers, if some of them had little judicial experience in the past, will all have it in future. The rule now is that every assistant commissioner shall have six months' judicial training at the beginning of his career. And I can assure the honourable member that the material which is now being infused into the services is extremely good material. The young stock, which is now coming in is really magnificent, 3 P. M. pedigreed stock, if I may say so, and some of it, of old and distinguished pedigree, well known to the members of this House and to this province. So I do not think that the honourable member need have any misapprehensions on that score.

I turn to the next criticism of the same honourable member, who objected to the fact that under clause 17 Government will have powers

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with regard to the appointment of the municipal medical officers of health and the municipal engineers. And here I would make a confession. That amendment, although the honourable member did not realise it, is necessitated by the fact that in past years the Government bluffed the municipalities. They issued orders to the municipalities, to nine of them, that is, that they must employ medical officers of health. It also issued orders in some cases that municipal committees must employ sanitary inspectors. As a matter of fact Government had no power to pass these orders, though it is obvious that it is very necessary and in the interest of good administration that they should have the power to insist on the appointment of such officers. At present Government can only pass a rule that such officers must have certain qualifications, but it does not possess powers to order committees that they must employ those officers at all.

Khan Bahadur Shaikh Din Muhammad : Who was bamboozling the municipalities then ? (*laughter*).

Mr. P. Marsden : I have made a confession, as I said, on behalf of the Government. I am afraid that these rules when they were passed ought not to have been passed. Now I am sure that honourable members in their heart of hearts know that this clause is absolutely necessary. The position of the medical officer of health, and of the municipal engineer, is of extreme difficulty, and delicacy. They have to enforce regulations which are extremely tiresome and irksome to the members of local bodies. Sometimes it would pay rich inhabitants to offer very heavy bribes to municipal engineers, to get them not to insist on certain regulations being obeyed; and in this Bill there are amendments to sections 192 and 193 which will increase still more the responsibilities of municipal engineers, as it will now be their duty to see that all plans submitted and all buildings built are in accordance with the building schemes and the town planning schemes which may now come into force under these sections. As I said, I do not think anybody in his heart of hearts thinks that it is not necessary to safeguard those two officers, and to put them above temptation. In fact, I have heard a good many politicians—whose names I will not mention—and members of municipal committees, say that they think that this is one of the most salutary provisions of the Bill.

Now let me take up another little point with regard to which the honourable member waxed indignant. He alluded to burial grounds, and said it was monstrous to amend section 107 in such a way that Government should have to sanction the making of burial grounds. The rest of what he said implied that a person may not be able to be buried. Supposing he said, he happens to die suddenly in a particular place, or supposing he happens to be a *fakir* or a *sadhu*, and sentiment demands that he should be buried in that particular place, that cannot be done without the sanction of Government. He said that worms and insects would devour that body before the sanction of Government could be obtained. The extraordinary thing is that he does not appear to have read the Municipal Act. He is referring to two sub-clauses of the section in question which have been amended, but that sub-section which empowers the committee of its own initiative to allow a burial other than in a sanctioned burial ground is still

in force. That sub-section, No. 4, is untouched by the Bill. Here again I have a right to say that the honourable members of this House should be very careful not to be misled by the honourable member.

Next there comes another amendment to which I must allude, about which the same honourable member made remarks which I was extremely surprised to hear. The honourable member said: "Just fancy that there should be a mandate from Government for local bodies to supply latrines and urinals in the area of municipalities." Now really, when you consider the urgent need of such a thing in this very city, when you consider the unfortunate position of all those zamindars who pay a visit to the capital of the province, and find no such convenience, when you think that in the whole of the great city of Amritsar there is only one such structure, is it not amusing that the honourable member should criticise the Government on this score? In this little matter the Government thinks it right to take powers! But does not the honourable member object to little things? Is he not higgling and niggling over very small matters? In this connection I would mention one interesting fact. Only the other day Government had actually drafted a letter to the Lahore municipality that it should make such arrangements, but before the letter was actually despatched, it so happened that either because some one got wind of it, or because at that particular moment the committee awoke to the sense of its duties, it was found that the committee had just decided to make those arrangements.

I now come to a section which some people may think of more importance. I refer to clause 16, which relates to section 35 of the Act, dealing with the emergent powers of presidents. Now I should like to point out that there have been a tremendous number of examples lately, which have come to the notice of Government, showing how the presidents of municipal committees are apt to abuse their powers under this section. I would just allude to one. The president of a large committee in the south-east of this province had been sanctioning under section 35 increases in the size and the height of water hydrants, both public and private. But it is perfectly obvious that section 35 was never intended for such a purpose. We are all aware of the misuse of these powers by presidents. We have all heard of complaints in the matter of building applications—that was one of the complaints made by Mr. Dobson's Inquiry Committee about Lahore. It is well known to the members of this House that that is practically a custom, a habit of presidents; and although some times it may be excusable, it is certainly not right that they should make it a regular custom. Incidentally one very evil result arises from the use of that section, and that is that the committees get into the way of thinking that all building applications may be settled in that way, with the result that committees get extremely slack and leave the whole work to the presidents.

Now is it necessary, as honourable members said yesterday, that the presidents must have powers under section 35 left unhampered? Is it a fact that presidents are in absolute need of utilising constantly that section? So far as I know, that is not the case at all. The municipal committee functions in a very small area, and if there is any urgent matter which requires to be settled the president can within twenty-four hours easily call the members together. I would ask also, is there any precedent for such

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a section in other countries? I would remind the honourable member that in England, in none of the local bodies have any of the presidents or the mayors or whatever they may be, such emergent powers. It is left to them to act within their discretion. If they find that anything absolutely necessary has to be done, then they do it, but it has never been found necessary to give them specific powers of this sort. I would also remind the honourable member that there is among the list of amendments an amendment relating to this section, and that amendment removes the word "sudden" before the word "accident," and also adds the words "grave inconvenience to the public" after the words "danger to human life"; and I have not the least doubt that the Government would be prepared to accept that amendment.

I come to another important section of the Bill, because I am most anxious to show that in every single specific instance which the honourable member mentioned yesterday, there is no ground whatever for any apprehensions on the part of any member of this House. He mentioned section 14 of the Act, which is certainly one of the most important sections of the Municipal Act, and he asked, why we did not amend it. This then is not a case of the Government having acted arbitrarily, by having introduced amendments which will do away with the liberty of the people. I would ask him, why has nobody else endeavoured to amend the Act? Malak Muhammad Din, it is true, did table an amending Bill in which he dealt with this section, but he did not go on with the Bill. Now Mr. Din Muhammad, almost in the next breath, said, why should the Government wish to change this Act, which has suited us for the last thirty years, and that really astounded me. For undoubtedly this section is an extremely important part of the Municipal Act; and in spite of that he asks why we have not amended it.

Well, section 14 relates to the power of Government to declare the seat of a member vacant, and in discussing it the honourable member alluded to a circumstance connected with the committee of Sialkot. I would like to explain that affair. It is agreed by all that that was a most unfortunate circumstance. It was most unfortunate that we had to remove a loyal old gentleman, who was a friend of Government, and in every way a magnificent man, whom Government obviously would wish to befriend, and to support. But most unfortunately he got into a position in which he was hampering the proper administration of the municipal committee. That is to say, he was lending himself to a policy which was preventing the executive officer from working out schemes for the improvement of the committee. It so happens that at Sialkot there have been a tremendous number of encroachments by members, encroachments on municipal property and encroachments on Government property. It so happens too that there appear to have taken place some terrible irregularities in the engineering department. In fact there is no doubt that the administration of Sialkot municipal committee did badly want cleaning up, and it was most unfortunate that when the executive officer was working very hard in order to eradicate all these grave defects there was this obstruction to his plans. But I say that Government should not be blamed on that account. Government acted as it did only because it had the interests of municipal adminis-

tration at heart, and it was with great reluctance, and sorrow, and regret that Government had to take steps which were adverse to such a fine old man.

I pass to another most important section to which the honourable member alluded,—section 231 of the Act. In that connection the honourable member complained of the increased powers being given to deputy commissioners and commissioners. Now I ought to point out to the House that there are extremely few extra powers given by this Act to local officers. In two sections—section 50 and section 62—you will find extra powers given to deputy commissioners and commissioners. On the other hand, in the very important section 38 (the appointment of municipal officers) and section 41 (to reduce the extravagant expenditure of committees) powers of local officers have been taken away and given to the local Government. The amendment of section 231 was found necessary, because there was no section in the Act which actually provided for the general inspection of the affairs of municipal committees. There are only a few powers given by section 231 which facilitated such inspections, and it was found absolutely necessary to provide general and specific powers for such inspections.

Now, two of the chief changes that have been made which will affect the committees, are that to officers who can make inspections the word “persons” has been added; and that power has been given to commissioners to delegate their powers to extra assistant commissioners. The word “persons” was added for the reason that it might happen that local officers are not in a position to carry out a particular investigation requiring expert knowledge. There might be a case where you want to have some non-official who has expert knowledge and experience to carry out an investigation. Now I was extremely surprised to hear the honourable member use the word “preposterous” with regard to the power that is now to be given to extra assistant commissioners. I confess I could not follow that. Why should not a senior extra assistant commissioner have the same power as other local officers, as deputy commissioners, to inspect municipalities? I cannot understand his objection. In any case, such a power always has been exercised. There have been innumerable, almost daily, examples, of extra assistant commissioners and assistant commissioners exercising this power and inspecting local bodies, without any objection being raised. Yet, the honourable member considered it preposterous that extra assistant commissioners should be given this power. It does indeed amaze me. The two services work together for the good of the municipalities. The provincial civil service has for years and years been exercising such powers. And now the honourable member objects to a provision for such power.

I think I have said enough with regard to the points raised by Khan Bahadur Shaikh Din Muhammad, and proved that all his terrible apprehensions, that the liberty which has been so hard earned by this province is now being destroyed, are baseless. I may just mention briefly one or two points made by the other honourable members. I noticed that Mian Ahmad Yar Khan did not admit the fact that there has been any failure on the part of local bodies; nor did he suggest any remedies whatsoever. He merely indulged in diatribes against the Bill, but never gave his own opinion on the question whether any remedies are necessary or not necessary. The reason

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was, of course as he himself admitted, that he had no experience and knowledge of local bodies. Now the honourable member has made some quite valuable suggestions for amending this Bill but I must say that I was perfectly astounded yesterday evening when I received a leaflet containing two of his amendments which he must have composed in great haste. The first was for a tax on Indian sweets. (*Interruption*). The honourable member endeavoured to show that he was going to convert the cities of this province into a land of milk and honey, or should I in deference to the Honourable Minister say milk and sugar, by very strange means. The very fact that he has tabled these two amendments shows in what a desperate plight he is, to convince the House of the undesirability of this Act. It is in that desperate plight that he is now suggesting that all sellers of Indian, not European, not Asiatic, but all sellers of Indian sweets, should be taxed. (*Khan Bahadur Mian Ahmad Yar Khan Daultana*: I think that amendment can be discussed when it comes up for consideration). I think I have sufficiently made my point clear.

Now, I come to the remarks of Mr. Muhammad Eusoof. The main point of his speech was that the local officers have sufficient powers under the present Act, that the amendment Bill does not greatly increase them, and that all that is necessary is that they should be more alive to their duties; he made mention in this connection of Mr. Ferguson, the Commissioner of Jullundur. That is absolutely true; and the local officers are becoming more alive to the necessity of exercising their powers under this Act. But the reason why they have not exercised their powers in the past is that it was the deliberate policy in the past not to interfere over much in the affairs of local bodies. It has now been realised that you must interfere more. (*Interruption*). Mr. Muhammad Eusoof said that what was necessary was that the local officers should exercise their powers more vigorously. If you turn to the reports and annual reviews of local bodies you will see that now a days local officers are becoming more and more alive to their duties. (*An honourable member*: Who drafts these reports?) The reports are prepared by the municipal committees themselves, and are sent to deputy commissioners, who in their turn send them to the commissioners with their comments. That is the way in which the reports reach us. One finds from them that in a tremendous number of directions the deputy commissioners and commissioners are endeavouring to stop illegalities, irregularities, extravagances and employment of unnecessary staff in the various local bodies. Now I do not for a moment suppose that honourable members think that deputy commissioners and commissioners did not exercise their powers from any other motive than what I have mentioned. I do not for a moment suppose that honourable members think that it was due to any slackness or any aversion to fulfilling an unpleasant duty. It was simply because, as I said, it has always been understood to be the policy that one should not interfere too much in local self-government affairs. It is curious however that, whereas this one honourable member has made this statement, there has sometimes been manifest in this House a desire not only not to strengthen the powers of local officers, but even to take away the powers which they at present possess. In the embryo Bill of Mr. Muhammad Din Malak, for example, there were numerous sections which took

away powers of the local officers. (*Interruption*). Well I am glad to find that there are members who agree that, though these powers should not be increased, it is necessary that local officers should utilise the powers that they have more vigorously; and this Bill has largely been framed with the idea of enabling them to do so. It is possible too that in future there may be established some local board, some local self-government inspectorate, which may help the local officers to carry out those duties more systematically; and if one reads this Bill carefully one will find that there are changes which have been so made as to facilitate the setting up of an inspectorate of that sort.

Now, Sir, I have finished. I only want to add just one word. I sincerely and from the bottom of my heart hope that the rumours which I have heard are not correct, I mean that this Bill will not be discussed clause by clause, and by every portion of this House. It would be a terrible disaster if any party in this House did not discuss this Bill to a finish. It would be an absolute negation of democracy if any party in this House were to leave the House, and to refuse to deal with this Bill on its merits. It may be said that there are precedents, and recent precedents. I submit that as a matter of fact that is no precedent, that which might be thought to be a precedent, supplied by the party on my right. There was only a walk-out in order to demonstrate their protest, their objections, to a constitution which is coming. But if any party were to deliberately refuse to take any part in the proceedings of this House, to refuse to discuss a Bill of this sort which affects the fortunes of all communities and of all people of this province, to refuse to assist in this way on the running of the existing constitutions that, I say, would be most lamentable. It would be an insult not only to this House as a whole, but it would be an insult in particular to this portion of the House; for apparently one of the chief reasons which it is considered would justify a walk out is that this particular portion of the House, that is to say, the official element, would help the rest of the House to pass the Bill. If so, I say that it would be greatly resented by this portion of the House. We have a right to our votes as much as any other party in this house. We prize, and are proud of, that right. If there had not been a chain of circumstances resulting in our having that right, other parties would not now be enjoying that right either—[*Mr. Manohar Lal*: How do you know?—or might not be enjoying it. After all, the part that we play is at the very least as important as anybody else's in this House. We consider that we have a right to our votes, and we consider that we are in a position to give our votes, because of the knowledge that we have of the Punjab, because of the work that we have done for the Punjab, because of the experience that we have of the administration of every single problem of this Province of the Punjab. We consider that we have at least as equal a right to express our opinion on this Bill, and to help the province in this matter, as any other party of this House. I would therefore urge with all the emphasis at my command that honourable members opposite should not take any such lamentable step. (*Cheers*).

Mr. Owen Roberts (Nominated, Non-official): Sir, I was absent from the House when the circumstances arose which led the honourable gentleman opposite to decide not to take part in our proceedings. I do not propose

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to comment on that except to say that—should honourable members on the side of the House for which I am speaking ever find it necessary to take a similar step, that they will find as sincere an apologist for their errors as the gentlemen opposite have found.

The honourable the Secretary for Transferred Departments, has gone in some detail in parts of his speech into the subject of local government in England and it is only fair that the matter should be cleared up so that honourable members who are not acquainted with both sides of the subject may know on what the English system is founded and generally speaking what the special tendencies are that influence it. The English system is based originally on the Poor Relief law. This was passed in 1601 and the poor rate was first assessed in 1773. When the poor rate was assessed it became obligatory upon the ecclesiastical parishes to collect and administer it and these parishes became the first units of the system of local government. I will ask the House to note the use of the word obligatory. Because, that, after all, is the entire foundation of the English system of local government. Later on many of the larger towns objected to the administration of poor law relief by ecclesiastical parishes and fresh divisions were set up in some cases and you come to what is now known as a civil parish, which may or may not be the same as the ecclesiastical parish. But the point that I wish to emphasise is that in carrying out the poor law relief local bodies do not act in any optional way. It is an obligation laid upon them by law and they are bound to discharge it. And it is this sense of obligation that I want to emphasise, and for that reason I will quote you the conditions that attached to a very humble office in a parish, an office known as that of church-warden. My authority is a book by Kenneth M. Macmorran called "A Handbook of Church Wardens and Parochial Church Councillors." In this authority it will be seen that when a man was elected a church warden he was obliged by law to serve in the office unless he belonged to certain privileged classes. The same sense of obligation on the public to carry out a service is to be seen in the English jury system where service is obligatory except for certain exempted persons. That is the whole direction of English local government. In very many cases local bodies carry out functions which are put upon them by law, by various Acts of Parliament which in themselves are administered by ministries. In the matter of public health, for example, it is not a question of option on the part of a local body to do anything, it is a matter of obligation; local bodies must carry out duties laid on them by law. I know of nothing, of no history behind local government in this country that compares with this. We start out from a different standpoint. In the welter of small complaints, petty arguing of points, I think we are running the risk of losing sight of what really is the issue before us. The objections to this Bill are that some of its provisions do tend to deprive municipal councillors of the right to conduct their own affairs in their own way within the limits of the law. In other words, other persons are assigned to them to carry out these duties—we will admit that they have to be carried out within the limits of the law. But there is equally no doubt that the assigned persons do really take the place in many instances, of the councillors themselves. I challenge the honourable member or anybody for that matter on those benches to show

me one single instance where in English municipal administration a council can be called upon to nominate any person to carry out its functions. (*Mr. P. Marsden* : Aldershot.) I am afraid I do not know anything about Aldershot. I am asking you to give an instance where in law—it is not a matter of geography or topography—where members of a council are required to surrender their powers to their servants to exercise on their behalf. I know of no such instance. That is the real question at issue. If we can arrive at a settlement of that question the rest of the Bill is a matter of detail. This Council feels that the whole trend of legislation in the past few years has been in the direction of depriving councillors of their authorities. Whatever the merits of the question may be, I do think that the honourable member was most unfortunate in quoting the case of America. One of the most pointed pieces of legislation in the direction that I have named has been the appointment of executive officers. We have it from the honourable Secretary for Local Self-Government himself that in no place has local government worked worse than in America and America is the home of the town manager and the executive officer. That is an indisputable fact. It seems to me that if Government will only give this particular point its careful consideration, we shall come to an agreement without any difficulty. Nobody denies the right of Government to have powers of control. Take the case of the Ministry of Health in England for example, or the poor law commissioners. They can not only insist on the appointment of proper persons to carry out their work, but reserve the power of punishment of these persons to their own discretion, but outside those one or two specialist officers there is absolutely no power taken from the councils and the committee manage their own affairs. In the same way in business it is a matter of daily occurrence that an agency is taken up to serve a large established interest, and although you pay for the goods, you are not entitled to sell them as you like. Certain conditions are imposed and those conditions are perfectly fair, conditions such as those honourable members of this House on this side would be quite prepared to accept. They do not ask that the committees should be allowed to run about the towns doing things just as they please. By all means have your supervision, have your checks. But leave them to find the means of conducting their own affairs within reasonable limits. The situation I think that we seek is one which was laid down by Lord Chief Justice Coke in respect of another matter. He said : A convocation has power to make constitutions, but they ought to be according to the law and custom of the realm. Now if we paraphrase this very slightly, we get down to the very principles we want observed in municipal administration. They are that the municipal committee shall have power to carry out their own work, provided only it is done according to the law and custom of the realm. These limitations everybody accepts. But I am afraid the tendency is and has been in the past to go far beyond such limitations. The tendency has been to appoint individuals to actually carry out the functions of municipal councils. I do not want to say anything about the Executive Officers Act, but I do not think that Government has really even reflected on the point that under this Act the Lahore Municipal Committee is paying a great deal more for its executive officer than many a large town in England with very much larger population and much more intricate problems has to pay. It is not that this officer has come from England.

The Honourable Dr. Gokul Chand Narang : There is no mention of the executive officer in the Bill.

Mr. Owen Roberts : If the Honourable Minister objects, he can extend the argument for himself, I have indicated it.

The Honourable Dr. Gokul Chand Narang : I shall be very grateful for any criticism that the honourable member would like to make of this Bill, and indeed very grateful if he sends me his amendments on the points on which he thinks the Bill should be amended.

Mr. Owen Roberts : No, we do not want an amended Bill. What we require is a new Bill altogether. I have been shown during the course of my life in India on three or four occasions a volume called the Civil Service Regulations and I have never seen a copy of it yet but contained about 300 or 400 slips. I am certain that our attempts to amend the Municipal Acts on this piecemeal basis would be a matter of greater joy to the babus of the Finance Department than even the Civil Service Regulations. The Act will be full of slips.

I will now deal with some points raised by the honourable Secretary for Transferred Departments. He mentioned the interdependence of local bodies in England. That is true with very great limitations. One must appreciate that once a function is taken up and passed on to a local body, the body is independent from that time onwards. The idea of being obliged to refer matters to the County Council is ridiculous. Nobody would do it for a moment. The body exercising a power has complete independence and corresponds direct with the respective Ministry in the case of each separate subject. There is no intervening authority. And to tell me that this cannot be done, that something of the sort cannot be done in the Punjab which after all does not present such complex problems as arise in England is to ask me to credit something which I cannot believe. If the idea is to improve the position of our local bodies and make them self-respecting I am quite certain that something could be done on these lines.

Then by way of illustration the question of taxation was given. Here again one has got to understand clearly what takes place. What happens is we have a poor law rate which has got to be recovered over a county. The county council consults the other bodies and an agreement is arrived at. If an agreement cannot be arrived at amicably it will be referred to some other authority, probably the Ministry of Health, or in this case to the poor law authorities themselves, and a rate would be fixed by them which would be fair to everybody. But once such a rate is assessed the county council has nothing more to do with it. The collection of this rate, its distribution and everything connected with it is vested in the local body, however small it may be, and some of them are very small, some I think with a population of little over 100 persons. Even these tiny bodies are completely independent in themselves.

Then the honourable member, the Secretary, talked about roads. The roads business is particularly unfortunate as an illustration because although the Ministry of Transport controls all the main roads and decides on the standard of road to be maintained, its direction and everything connected with it, yet it has not the right to construct that road when passing through a local

body. It hands the money over to the local body, and it is the local body that constructs the roads. It has to construct it according to the prescribed specification, and if the road is not up to the specification the loss is put on the members concerned. But the fact remains that the local body has to construct the road, and this affords an excellent illustration of the independence that local bodies enjoy.

Then on the subject of surcharge, I do not believe that this is seriously objected to. Personally I consider it necessary. We have heard a great deal of it to-day, but I can assure honourable members opposite that it is very rarely used, so rarely that some local bodies dispute the point and say that there is no such law in existence. That it does exist I do not question, nor do I question the need for it; I should like to see something of the sort here. But, on the other hand, it exists with very large degree of protection to councillors. The first protection they get is, they may take the question to the Ministry of Health, and if the Ministry of Health agrees that the money has been spent wisely and properly and in the public interest it does not matter whether it has been spent according to a definite rule or not, the surcharge is disallowed.

Finally, there is always an appeal to the courts, so that if money has been spent in a way that the Ministry of Health after careful enquiry cannot agree is proper, then it is only right that the money should be recovered from the persons responsible for spending it, and an appeal to the law is there for the person to take or not. But it is definitely laid down that there is an appeal, and that it may be taken advantage of.

There is one last point which I wish to touch. The honourable member expressed the view that in recent years the tendency not to interfere with local bodies has been a matter of policy. Well, Sir, I am afraid there is only a very partial truth in that statement. We have had it on evidence, I do not know whether that evidence can be made public or not, but we have had it on evidence from district officers and commissioners that they had to neglect this subject because of the pressure of their other duties, and it is on that account that some of us have pressed for a central authority to deal with this subject exclusively.

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban): Sir, I am very glad to say that my honourable friend has delivered a speech which could be delivered by a great politician of England. The way that this Bill proposes to amend the law does not lead to democracy. The honourable member says it is democracy, I say it is the mockery. He is mocking democracy by saying that this Bill will ever lead us to democracy. I am not going to indulge in any personal references while discussing this Bill, though, I admit, there is plenty of temptation for it. Day was when like a Russian wolf the honourable minister used to hunt the Government lamb, but today the lamb has swallowed the wolf instead of the wolf swallowing the lamb.

Mr. Nanak Chand Pandit: Who is the wolf and who is the lamb?

Shaikh Muhammad Sadiq: There is a wolf-cum-lamb sitting there. I do not know how much is wolf and how much is lamb. In the municipal administration there are five important things, sanitation, roads, education

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health and water-works. If my honourable friend had told us that the Government wants power to enforce its own regulations about sanitation, I would not have raised my hand against it, I would have said, give all power to Government to enforce sanitary conditions better than even England and Germany. This was the power that they should have wanted, and I would have given it to them without a minute's hesitation. If he had said let us make education compulsory for adults and children, males and females, I would have said, yes, Dr. Narang, have it at once. If he had said there should be good roads, I would have willingly agreed to it. But have the Government given even one minute's attention to this very important question? My complaint is that Government will not bring in measures to introduce such administrative reforms, but will only bring in measures which have political reactions. This is the main objection in my mind against the Bill. I will not say that this Bill does not make some improvements. I would be untrue to myself and untrue to this House if I were to say that there is nothing in the whole of the Bill to help the administration to improve. There are some points which are very good indeed. Municipal work requires over-hauling as does the system of Government. The greatest evil is the evil of corruption both in municipal administration as well as in Government administration. You go to the Government House to see His Excellency and up comes the chaprasi and demands Rs. 2. You go to a deputy commissioner, every chaprasi demands Rs. 2 a year. Mr. Marsden knows it better. Every chaprasi wants Rs. 2 on every *diwali* and 'Id. You cannot get a chair unless you have been paying these Rs. 2. annually.

Mr. Nanak Chand Pandit : Have you paid it yourself?

Shaikh Muhammad Sadiq : I have paid it, but not in money. If you have been paying this *bakhshish* the Sahib comes out at once to see you, otherwise he is somehow or other engaged, and is not in a position to see you at once. (*Interruption*).

It is just on the level of hanky-panky-shanky thing. I am not going to attack anybody. It is not my intention to attack. If and when I attack I hit hard. I am not going to make a personal attack. If the honourable member thinks that he is not thick enough for the Council business, he should make room for some other man, but I will not mention his name from the beginning to the end.

Dr. (Mrs.) M.C. Shave : May I be permitted to interrupt the speaker? Mr. Muhammad Sadiq is in the habit of arguing from data that he does not care to see are sufficient and correct. The other day he said that I had made no protest when the pay of the chaprasis was reduced and pointed in the direction of the chaprasi as he spoke. This was followed later by a very unpleasant incident, and when I told Mr. Muhammad Sadiq about it and said it was directly caused by this part of his speech he said, "was their pay reduced? I did not know it."

Shaikh Muhammad Sadiq : Sir, if a lady stands up and I sit down out of sheer respect, it does not mean that I am going to give way. If I sat down it does not mean that an irrelevant remark can be made. We people do honest work for municipalities, and do not take any remuneration. I am proud to say that I work from 8 to 4 hours a day throughout the year for the

municipal committee without any remuneration and without any thanks from the Government, nor do I expect it. These people give their time because they feel patriotic. But when the Government dubs them inefficient, Government must see to their own *giraban* first. They want to thrust a Bill on the municipal committees, a Bill which contains half a spoon of cream with the rest of quinine in it. Our object is that in passing this Bill sections which do no benefit to the public should be removed. I admit that my friend is a new arrival from London. He is talking of surcharges in England. If England knows that a country as free as England is being compared with a slave country like India, they will feel it as an insult. Everything in England is based on the rights of the people and everything here depends on Government and nominated members. Leave the matter to the free will of the people and see what happens. Except two members and the third behind him everybody will say that it is not right that this Bill be passed. My friend has talked about walk-out. If the honourable members of the Reform Party can say that they have read the Bill and think it a necessary Bill, then it is a different thing, but if they are going to stand up as if a switch has been pressed and they like electric dummies stand up we cannot be blamed if we go out. These gentlemen are sitting dumb and mute. They will silently vote for their Minister; there is therefore no use in our wasting our words. There was plenty of time to consult our leaders and to come to a compromise. But I do not know what my party is going to do, though I would like personally to fight against it and point out the absurdity of the provisions, yet I must leave the decision to the leaders of my party.

Now, Sir, they say that the municipalities are getting bad, bad, bad. I say here is a member in charge of industries. What about the industries of this country? Are they not going bad, bad, bad for the last 5 years? What has he done for

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them? Why are these municipalities alone a special pet of this department? There are thousands of unemployed people, and I ask the Honourable Minister for Local Self-Government, who is also the Minister for Industries, how is it and why is it that he has not used his brains towards the improvement of industries and relieving the unemployment? The trade and prosperity of the country depends upon industries. Why is it that he has not delivered his speech, and helped us?

The Honourable Dr. Gokul Chand Narang: You will have an Industries Bill. It is under preparation.

Shaikh Muhammad Sadiq: Now let us come from a general discussion of the Bill to a discussion of certain sections of the Bill. Turn to clauses 7 and 10 of the Bill.

(At this stage Mr. President left the chair and it was occupied by the Deputy President.)

Now a man is elected a member of a municipality after a hard fight. Government comes in and says, even without assigning any reasons, "we are not going to notify your election." The man has done nothing. Government has allowed him to stand for election, and he is elected and Government comes forward and says, "we do not notify you." What is the result? He cannot stand for election again throughout his whole life. Have you come across a worse penalty in any part of the world? Is there any such

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punishment in England or France? What reason have you to prevent a man who has been elected? And if you do not notify him, why should he not stand for election again throughout his life? It has been suggested that the Musalmans will suffer. It is absurd to say that this Bill will make the Muslims the victims. The Bill will not improve the administration, but it will deteriorate it. Suppose the Secretary, Transferred Departments, is a free man and he stands for election from Gujranwala. The honourable member from Gujranwala will tell the Honourable Minister, "here is a gentleman who will become a member of the committee; so better not notify him." What is the result? They will not notify you, and you can never stand again for all your life. Can you find a more absurd and a more ridiculous and a more foolish section passed in any country? Why should a man be made to suffer, I ask you? Why do you not stop him even at the time of nomination, before the voting takes place? Why do you keep sleeping all the time till he is elected and then say, "no, we will not notify you, and consequently you cannot stand for election again in any municipality in the Punjab?" Is this improving the administration? The result of this will be that after each election you will find people coming to you and saying "please do not notify such and such a man." You are creating jobbery by this, worse than Tammany Hall in America if you know what it means. You are going to make the future ministry a chaos. If elections take place say at Gujranwala and if your supporters do not like the candidates, they will come and say, "please do not notify them." You are going to be the future ministers. My object in attacking the Bill is not merely to criticise it. I want the maladministration to stop. I want that we should reform the municipal administration. But in reforming it I do not want that such powers should be placed in the hands of ministers. It will make the life of the Cabinet miserable. What can you do? You cannot be unjust because you have taken the oath of impartiality. But if you want to work honestly there are your friends belonging to your party who want you to do otherwise. Therefore I tell the honourable Local Self-Government Secretary that he is making a muddle. You will find that there will be a party conflict between the ministers and their parties. You are an officer and you should not meddle in politics. But these provisions are likely to come into clash with party politics. I am not a baby in politics. I am not one of those rash people who simply oppose anything merely for the sake of opposing. If you have intellect, so have I. If you have eyes, so have I. If you have studied politics, so have I. My object is not to oppose merely for the sake of opposition. But my opposition is sincere. I ask my honourable friend to tell me whether these results will not be the outcome of these provisions. Nobody who has studied things in Australia, France or America will deny the fact that this section will place the minister in an awkward position. His supporters will be coming to him and asking him to do certain things. You will spread corruption. It is we the Indians who have to work these things. Now you say we have a right even now to remove a person under the rules. But you know that no Government can act strongly always under the rules. And you want us to be a party to these things. You dare not use the rules day after day. Even when His Excellency the Viceroy passes an ordinance, you want the support of legislature, so that you may say later,

"it is their own fault; they themselves passed the Bill into an Act." You will say that these extraordinary powers were given you by the Legislative Council. This is the reason why you do not want to depend on rules and regulations, but you want to put them as a legislative enactment. Do not look only for today, but look also for the future. The future will be dark. Do not pass these provisions unless you want the municipal administration to become a kind of fighting centre for the politicians. It will be impossible to carry on as long as the deputy commissioner interferes in every day work. I have, no doubt, great respect for many deputy commissioners. There are among them many personal friends of mine. People will come to you during election time and ask you "please pass this order, please pass that order." It will require great strength for you to say "no" to your friends. Do you want this responsibility to come on you or would you like it to be transferred to somebody else? I know you are given protection under the White Paper. But I tell you you will destroy that protection by entering into the arena of politics, by entangling yourself in meshes of party politics. Look at France. It has changed its ministry every second and third month. You will be pleasing nobody by these provisions, but you will be displeasing everybody. To-day you do it on the advice of one minister. If another man becomes a minister tomorrow you will find your life miserable. Master is a master and servant is a servant. As an officer you may be a respected officer, but once you enter into politics your record for impartiality disappears. There will be no safety to you with all the laws of Parliament passed in your favour. So I request you to look to your own benefit. Remove these clauses which give tremendous power to the ministers. There may be occasions when some member wants to become a president of a municipal committee. You will have either to please your minister or please your conscience. As an executive official you will have to please your minister. So I ask you to follow England from where you have sprung up. Her fine traditions have stood the test of time. Do not bring in this hanky-panky legislation. Do not import it from South America *via* Columbia, *via* Broadway by a ship straight to Bombay. Do not have it at all. It has brought ruin to South America, if you know the history of South America. So I say, do not give these powers to the ministry. They will not be used against Musalmans. My friends today is probably under the impression that they are going to be used against the Musalmans. Probably the next minister will be a Musalman, and probably he may not be a friend of yours. (*An honourable member*: Probably you will be one.) Quite probable. There is no improbability. Sir, I may tell you sincerely that there is no Hindu-Muhammadan question in my mind. It is not a Hindu-Muslim question; it is a question of ordered government against disordered system of politics. There are good Indians and there are bad Indians, just as there are good Englishmen and there are bad Englishmen. There will be good Indian politicians and there will be bad Indian politicians, and all I want is to save the administration from the future bad politicians, who may try to ruin our fine institutions which have been brought up with the help of the Indian Civil Service bureaucracy whom we sometimes very strongly and sometimes very wrongly criticise.

All we want is power, but the House will be stultifying itself by passing an Act of this kind, under which a municipal committee cannot appoint a

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secretary, cannot suspend him, cannot fine him and cannot even reprimand him. I ask my friend who has been to the Round Table Conference and who is probably going to the Joint Conference, whether this is the message he will take from this House—the legislature passing an Act under which the municipal committee is not considered fit even to censure its own officials unless it has the permission of the high and mighty Government. Please do not think I am attacking the present Government. The present Government will be replaced in twelve months. Is it not absurd that under the new Executive Officers Act, a municipal committee can dismiss its executive officer by a two-thirds majority of votes, but it cannot dismiss a junior officer like the secretary? I ask the honourable member to explain why a junior officer of the municipality should be immune from dismissal even by two-thirds, three-fourths or seven-eighths majority of votes, while a senior officer under the same municipality could be dismissed. I expected logic from him, but logic with him is just like water on a duck's back. The reason is this: Government want to take all the powers of the municipality in their own hands. But can you expect the Government to go into the affairs of 150 municipalities?

Supposing a municipality appoints a man named A as secretary out of a list of 40 candidates for the post, I being one of them. Then what happens is that I go to the deputy commissioner's office and have a letter sent to the municipality asking the committee why they had not appointed me, and yet the deputy commissioner knows nothing about the matter. What has happened is that the letter was written by the head clerk or by the clerk in charge of routine work and signed by the deputy commissioner who had not the time even to read through it before signing. If the deputy commissioners had the time and energy to devote to municipalities, I would be only too glad to benefit by their experience. I have many times taken help from the deputy commissioners for which I am very thankful, but the deputy commissioner has no time to go through the proceedings of the municipal committees day after day, and it is really the head clerk who puts up letters and has them signed by the deputy commissioner or by some extra assistant commissioner on behalf of the deputy commissioner. So we know by experience what "person" or "persons" means. It does not always mean the deputy commissioner. Just as the Governor in Council sometimes means the Secretary or the Ministry, probably the Under-Secretary, similarly the deputy commissioner may mean the thanedar, or a patwari or a small clerk getting Rs. 25 per month. All we want is that these powers should go to the right persons, but when you say 'person' or 'persons' or 'any notified person' it may mean a naib-tahsildar or a sub-inspector of police. We who have worked hard and to the best of our ability in municipalities, only want that law should be such that if Government wants to interfere with the working of municipalities, it should do through proper persons, and by high officials.

I was asked yesterday what I understood by local self-government. Local self-government as I have understood it means government by the people themselves. The real object of local self-government is little interference, but we find that this Bill gives Government great powers of inter-

ference. We are trying to centralize power, whereas the tendency in the rest of the world is to decentralize it. Why do we not follow the German practice? There the municipal committee meets once a year or so, but hands all its conscience to sub-committees who carry on the work independently. Why do we not follow that practice? Why do we not follow the good things in the municipal committees of England, France and Italy, and try to develop something which would be useful to the country?

Now it is said that our municipalities have really had only eight years' opportunity up to this time, that up to 1925 deputy commissioners used to be the presidents, that they had all the powers in their hands. We are told that the municipalities are only eight years old. Are we not to let the child grow? Are we to stunt its growth? It is true that during those years the municipalities have made mistakes, but was that not to be expected? It has taken England three hundred years before it achieved the present position, and it was after a period of 180 years that Government interfered with their management. But there only after 8 years' experience our municipalities are being smothered.

Then something was said about corruption. But that is a legacy from the previous administration. Those who are accused of taking a bribe are people who have been in service for twenty or twenty-five years, and they were bribe takers even when deputy commissioners were presidents. How can a deputy commissioner stop a man from taking a bribe? It is not possible for the deputy commissioner to prevent a person from slipping two rupees into the pockets of an official. I knew several cases where money has been slipped into the pockets of munshis. I have seen many chaprasis taking money outside the office. This is what is called *bakhshish*, and it cannot be called bribe. You can call it a bribe only if you force a man to give money against his will. If you pay an officer in order that he may move swiftly in any matter, that is not a bribe.

I have had 14 or 15 years' experience of municipal work. I know that every municipality desires to purge itself of this evil of corruption. I know of cases where head clerks have been given notice, where the pay of some clerks has been reduced and where others have been punished with fine, and so on. But what happens? The affected person appeals to the deputy commissioner, who, as a rule re-instates that official with honour. There is then no purpose served by blaming the municipal committee that it does not discourage corruption. If the municipal committee is to purge itself of this evil, the local officials should help it by upholding the punishments meted out by the municipality to its delinquent servants. I do not mean to say any word against the officials occupying the opposite benches who have been deputy commissioners. But I must point out that the deputy commissioners in this country hold a unique position. You do not find a counterpart of it in any part of the world. Here he is the fountain of patronage, he is the fountain of honour, he is the fountain of justice, he is the fountain of everything. Consequently he is not able to pay that attention to all the departments that are entrusted to him that is expected of him. Municipal administration is only one of the many sides of his activities, and he therefore does not pay much attention to municipal affairs.

(At this stage Mr. President resumed the chair.)

[Shaikh Muhammad Sadiq.]

If the Government were to create a local self-government board as in England, that board will be in entire charge of the municipal administration. If that is done, the board will be able to concentrate its attention on municipal affairs and consequently municipal administration will greatly improve. Now, what happens is that the deputy commissioners and commissioners who are entrusted with the work of supervising municipal affairs, have hardly the leisure to attend to this work, and the result is that municipal affairs are suffering from day to day. I would therefore advise the Honourable Minister to come forward with a Bill which would create a new system of administration.

Coming to section 35, the Secretary, Transferred Departments, spoke a good deal against the use of this provision. I may point out that the present presidents have not made greater use of that section than the deputy commissioners when they were presidents of municipal committees. The deputy commissioners made very ample use of that section, and it occurred to nobody that this section should be changed on that account. Besides this section was very handy for taking immediate action when necessary. Under this section it was very easy to remove or suspend dishonest officials. Now with the section as modified in the Bill, the president cannot suspend a person till a meeting is called and a resolution is passed to that effect at the meeting. This section 35 had been very useful, and it has never been misused hitherto by any municipality except perhaps by the Sialkot municipality. Even there, there is a difference of opinion as to whether it was misused or not. However, if it is considered that the section is liable to be misused the Government can put all sorts of possible checks or safeguards against such misuse. There is no objection to that. But the powers of the president should not be curtailed; because after all, it is the president who has to run the administration, and he generally happens to be a man of experience.

Now, coming to the question of surcharge, I am in favour of the introduction of surcharge. I do not say for one moment that there should be no surcharge. But I am not for the imposition of the surcharge by administrative orders. The surcharge should be imposed by a judicial officer after due enquiry and trial. At present what would happen is that somebody may carry tales to the deputy commissioner against a municipal commissioner, who believing that the tale is true may decide to impose a surcharge on that commissioner. I do not agree to this system. As I said already, I am in favour of the system of surcharge. I do not want that the municipal commissioners should shirk their responsibility. But the power of imposing surcharge should not be in the hands of an executive officer, but in the hands of a judicial officer.

They are going to discuss in the Joint Select Committee the question of increasing the bounds of Indian liberty, and in this House we are trying to make rules or frame a law to fetter the liberty of the people in the guise of preventing mistakes. There is no doubt that mistakes are committed and will be committed. They are being committed even today in this House under the party system. You are passing a Bill which is not desired by any person. If you can make mistakes, why not allow them also to commit

mistakes and learn lessons by such mistakes. By passing this law you will be making the members of municipal committees mere *jo hukum huzurs*, and whichever party is in power, they will *salam* that party.

Mr. President : The question before the House is that it may proceed to consider the Punjab Municipal Amendment Bill as reported by the select committee. If the honourable member is opposed to it he is welcome to advance his reasons why the Council should not pass this motion.

Shaikh Muhammad Sadiq : With all respect to you I think that all this time I have been trying to show why the Government should not push forward this undesirable and undemocratic Bill, and I think I have given convincing reasons to show why despite some good points in the Bill we should not accept it. We cannot swallow the quinine with a coating of sugar. If the House were to remove the bad clauses, then we might accept it. The fine things are mixed with nasty things.

Mr. President : The honourable member's object can be achieved through amendments.

Shaikh Muhammad Sadiq : No, that will not be achieved by moving amendments.

Mr. President : Then the honourable member can inflict another speech when the motion for the passage of the Bill is moved.

Shaikh Muhammad Sadiq : I am glad you have used the word 'infliction,' because Government have inflicted on us this Bill, and that is the reason why I am inflicting this speech giving my reasons why the Bill should not be accepted. I can assure that I am not criticising the Bill from any personal motives. My motive is never bad. I fully believe that the Bill contains many clauses which wreck self-government. That is why I oppose the Bill.

Shaikh Abdul Ghani (West Punjab Towns, Muhammadan, Urban) : Sir, much that was necessary has been said yesterday and even to-day, and I rise simply to meet certain points raised by the honourable Secretary for Local Self-Government. I am sorry he is not in the House just now. Yesterday he began his speech by expressing a sort of regret that this measure had given rise to communal feelings in the province or on the floor of this House, and on being assured that this could not be the effect of the Bill he betrayed a placid smile on his face. It is not at all difficult to detect the reason for it. He knew in his heart of hearts that the wedge he was thrusting into the fabric of local self-government would not rest there, and it would go deeper and deeper and its authors at least would have the satisfaction of feeling that what they were doing at the present moment would to a very large extent bear fruit in the future administration of the country and in the future relations of the different communities and sections of the people of this province. If this turns out to be true that would not be a tribute to the Honourable the Minister for Local Self-Government for whom we had a very great respect and in whom we always saw a politician of the first rank in the province. Unfortunately if he is led to believe in or harbour the idea that by his being in office he can in any way directly or indirectly contribute to his innermost feelings by a legislation of this sort, he will be sorely disappointed. Old times are now over, and I find that in the hearts of people there is a yearning that this communal strife and

[Shaikh Abdul Ghani.]

bickering should come to an end, and we should realise that our destinies are woven together and that we are to conduct the administration of this province in future with a single heart and with a common purpose, no matter whether there are 20 or 25 Narangs who consider otherwise or who strive otherwise. On behalf of my party I can assure the Honourable Minister and his Secretary and other lieutenants of his and all on those benches that if the object of the Bill was to cause any such disunion among communities, it has totally failed in its object. The next point of the honourable Secretary for Local Self-Government was that he was affording the House an opportunity to discuss the measure and its terms fully. It was very kind of him to have done so, but it is also clear that when his chief introduced this Bill for the first time in the Council it was said that they wanted to rush the measure through. It was with very great difficulty that this section of the House succeeded in forcing the honourable member to refer the Bill to a select committee, but here too there was a time limit. The report had to be submitted within a few days, and we find now that in the notes of dissent which have been appended to the report of the select committee, all dissentient members complained that for a measure of this nature there was not enough time to consider the various innovations and the various departures made. Now for those honourable members to come and say—I mean the honourable members who are in charge of the Bill—"we afford you an opportunity to discuss the Bill thoroughly and you should seize that opportunity and help us in amending the Bill" is no less than a mockery and a sham. Where were you when we asked for full time for considering a measure of this magnitude and of this importance vitally affecting the interests of the future generations of this country? Why were you in such a hurry at that moment? Why did you not give us sufficient time, and why did you not allow the members of the select committee time to consider the measure fully to enable them to give a considered and exhaustive opinion? Now to tell us that you are affording us an opportunity, and that we should not clear away, we should be here and discuss the measure clause by clause is no less than a mere mockery. Then again, why is this time selected? This too is obvious. The Honourable Minister and everybody else knows that a particular section of the House—and a very important section—is pledged, should I say, not to speak. They have inflicted non-speech on themselves. Can an important measure of this nature be discussed when a very important section of the House—and especially that section which has always been considered to be very forward in its democratic principles and views—has abstained from taking any active part? Would the Honourable Minister leave the House with the satisfaction that he had this measure through the House or would he feel that he has been fair to the Punjab legislature or to the province? I say this is sheer injustice. If members like Raja Narendra Nath, Pandit Nanak Chand and Mr. Labh Singh are pledged not to speak, not to open their mouths, not to criticise the measure—

The Honourable Dr. Gokul Chand Narang : Who says that?

Shaikh Abdul Ghani : I have been seeing it every day, and I feel that that is the true attitude of that party.

The Honourable Dr. Gokul Chand Narang : You are mistaken, then.

Shaikh Abdul Ghani : My chief objection is that this is the most unfortunate moment for bringing in a measure of this nature, when we cannot avail of the advice, criticism and good counsel of a very important section of this House. Of course it has been remarked and rightly that these gentlemen would be getting up and sitting down at the time of divisions just as dummies in a mock-show. I am sorry I have to make these remarks. But if that is the true attitude of that section, then I am really very sorry that we lose their advice, their counsel and their guidance, and I am sure that if they were to speak, they will be at one with all of us in declaring that it is a retrograde and a reactionary measure and should not be accepted by the House, unless there are very serious and very urgent reasons for passing it into law. Mr. Marsden's chief argument, as far as I have been able to follow him yesterday and even to-day, has been that because England has had some similar clauses, because South America has been following a particular course of action on a point or two touched in the Bill, because Bihar and Orissa have in their Act a particular provision, because Madras has a similar section, and because other countries have some sort of provisions in their Acts bearing on the subjects dealt with in the Bill, therefore we should follow suit and adopt the precedents. But I might remind Mr. Marsden and his chief, the Honourable Minister for Local Self-Government, that their labours have mainly been directed to collect together in this Bill the worst that was to be found in the legislation of the other countries. It is evident that they have brought in only the reactionary provisions found in the different Acts, and they have not been able to show a single Act where all the vices are collected together in abundance as in this measure. This is a point upon which I would like the Secretary for Local Self-Government or any other Government member to give me information. My meaning, if it is not clear, I will make clear. (*The Honourable Dr. Gokul Chand Narang :* It is quite clear). I am glad the Honourable Minister has understood it. Let him then show me a single Act which is consistently so bad, which is consistently so reactionary, which is consistently so offensive as the present Bill that he wants us to consider now. Let him show me such a Act even in Bihar and Orissa which is the most backward province in our country. Can he tell us that that province has gone to the length we have gone? He may say that England has got some provisions on surcharges analogous to the ones in this Bill. But can he show me a Bill, can he quote an Act and point out to me where they have thoroughly consistently followed the line he has taken in his Bill?

The Honourable Dr. Gokul Chand Narang : Will the honourable member name the sections that are distasteful to him?

Shaikh Abdul Ghani : Left to myself without the advice of my learned friend I would say that the whole of the Bill should be thrown away in the waste paper basket and the basket should be burnt along with it.

The Honourable Captain Sartar Sir Sikander Hyat Khan : Why burn the poor basket?

Mr. Nanak Chand Pandit : Why burn the poor basket? Where shall be thrown other Bills?

Shaikh Abdul Ghani : I am glad there are gentlemen here who are solicitous for the basket. Another argument has been advanced that we supply the funds and our control is based on grants. It is a well recognized dictum, and no sane man can take exception to it, but the question is that you have been supplying the funds, and you have been controlling the municipal committees; can you say that there is anything to justify this extreme step that you are taking? Is there any single individual member of this House who denies the right of Government to exercise some sort of control over the municipal committees? Can this be a justification for the extreme power that you are usurping.

The Honourable Dr. Gokul Chand Narang : Which?

Shaikh Abdul Ghani : The whole of the Act wherever you differ from the old Act with certain exceptions that are really necessary.

The Honourable Dr. Gokul Chand Narang : So the whole of the Bill is not worthy of being thrown away?

Shaikh Abdul Ghani : The Honourable Minister, I suppose, does not want me to be as lengthy as Shaikh Muhammad Sadiq. I am sure he knows best what is salutary and what is not, and if he honestly says that this is offensive and this is not I will believe him. I leave it to his good sense to say which provisions are against democracy, and if he thinks that the whole of it may be passed into a law at least I will vote for him.

The Honourable Dr. Gokul Chand Narang : I have used my good sense, and I want you to advise me.

Shaikh Abdul Ghani : So far as this question of grants is concerned, nobody said that the Government should go on giving grants and not supervise the working of the municipal committees. But Mr. Marsden was pleased to tell us yesterday that whenever a municipal committee offended, the Government in England stopped the grant. Do it by all means here also, punish the municipal committee that is not behaving properly, that is, not following the instructions of Government or that is not carrying the municipal administration efficiently. Resume their grants, confiscate them and do not pay a single pie to them, but where is the justification for putting all these shackles on them. Why pass this legislation which can only be justified in the case of an imbecile or a lunatic ward? Then his argument was—to call it an argument would not be very proper—he used the rambling statement that they had nothing to do with the political angling, wrangling or dangling in the country. I do not think he was serious in using this phrase because after all he is a member of the Civil Service, and so far as I know he had a very distinguished career in the services, and if he really thinks the Government has nothing to do while legislating with the political angling, wrangling and dangling in the country, if he seriously thinks that the political conditions prevailing in the country at the time when a Bill is being passed into law have nothing to do with the passing of a piece of legislation, then I will humbly request him to let a better man take his place, because if he does not take into consideration the political conditions prevailing in the country at the time of passing a Bill, then I think he is not

fit to remain where he is. He has to take into consideration the particular conditions which require a particular remedy ; he has to see whether they are drastic, and whether a particular remedy is proper and whether the remedy which he is proposing is the best remedy that could under the circumstances be prescribed. (*An honourable member* : He never used these words). These are the words that I read in the *Tribune* this morning, though I did not quite follow his last words yesterday. If the *Tribune* has correctly reported him I submit he did use those words. In any case we all have to depend upon what we think at the time a member did say.

The Honourable Dr. Gokul Chand Narang : All that he said was that he was not going to pay any heed to political angling, wrangling and dangling.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Does the honourable member admit that the *Tribune* also said that the debate from the beginning took a very communal turn ?

Shaikh Abdul Chani : For my purposes it is quite enough if he only used the words political wrangling. If a particular piece of legislation is not to take into account the political wrangling in the country when the legislation is being put on the anvil I think that legislation can never be proper or satisfactory. Then, Sir, he went on, it had been said that these municipal committees are the training ground for the people entering civic life, and remarked that now there was absolutely no necessity for any political education, and therefore we need not take any notice of that side of the question. Here again, to cut short, his views run counter to the views of the civilized world, and if he chooses to cut himself adrift from the opinion of the civilized world nobody would envy him. Throughout we have been told and we have all along been realizing, and I think it is a truism that the municipal committees and the notified areas are the training grounds for the people to equip themselves for the life that India is soon entering upon. To-day he invoked a measure ; I quite agree with him it is very little read, and it may be that it had never come to the notice of the honourable member from Gujranwala ; I have never read it myself ; I mean the Panchayat Act. By quoting that Act he wanted to draw an analogy and on the basis of that he argued that because local Government or rather the Government had an Act in which certain sections that had been repeated in this Bill had actually figured, therefore that served as a precedent and the present provision for surcharge was not a novelty. He went to the length of remarking that the member who spoke yesterday was insincere. May I ask whether the honourable gentleman was himself sincere when he told the House to pass his Bill into law because certain provisions of that measure had already been passed into law in the Panchayat Act ? Can he not himself realize that the Act that he was quoting and the analogy that he was drawing bore absolutely no resemblance and had no bearing on the point before the House. The Panchayat Act is meant for rural areas. The panchayats have got a limited amount of money under their control. Can he tell me the total amount of money at the disposal of the different panchayats in the province ? I could safely say that it would not come up to more than a thousand or so. Does he not realise that that Act was meant for people who are ignorant and illiterate ? Does he

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not know that in the present measure he is dealing with municipal committees of cities like Amritsar and Lahore? Is he ignorant of the fact that in Lahore the municipal committee is spending at least 22 lakhs annually? Does he not know that in that municipal committee we have men of the first rank in the political life of the country? Does the honourable member think that if the Government is right in curbing the powers of the ignorant and illiterate in rural areas, it is entitled also in curtailing the liberty and freedom of action of persons who are occupying the prominent position in the public life of the country? Would the analogy of the Punjab Village Panchayat Act justify the passing of this Act? Would it in any way bear any resemblance or any connection with the conditions prevailing in the villages for whom that Village Panchayat Act is meant and where it is being administered? These are the arguments with which the honourable Secretary for Transferred Departments tried and vainly tried to justify this very inordinate, and I should say drastic and reactionary, measure, and I do not think I need waste any more time of the House in trying to show that this Bill is not acceptable to the country and is out of time. I might just in conclusion submit one thing. It has been remarked by honourable members of this House, and it is really a very great surprise to all of us that the Honourable Minister for Local Self-Government should be in charge of a measure of this nature, and not only that but he should conceive and sponsor it in the House. It is very difficult for me to be able to know the reasons which have prompted him to this course of action. It might be that his Secretary by his arguments and platitudes transformed him into a tame lamb as was said by Mr. Sadiq, or it might be that we have in our Honourable Minister the full-fledged autocrat in the making. It is just possible that under his black coat a Hitler might be concealing because in one of his speeches last session we had an inkling of the trend of his mind when he pleaded on the floor of this House that if certain things are not done according to his mind then he along with his associates and people of his way of thinking will leave this country and migrate to some distant land.

The Honourable Dr. Gokul Chand Narang: What has that got to do with the motion before the House?

Mr. President: Will the honourable member confine his remarks to the question before the House?

Shaikh Abdul Ghani: I was only mentioning it as illustrative of the attitude of the Honourable the Minister. If he resents it I shall leave it there.

In conclusion I would submit that this House would express its dissent, and if it feels helpless in the matter, at least our party would not in any way lessen its energies in opposing this Bill.

Mr. P. Marsden: On a point of personal explanation. I do not think I ever accused the honourable member Khan Bahadur Shaikh Din Muhammad of insincerity. If I had really used that epithet insincere in relation to him I unhesitatingly withdraw it, for, sincerity is undoubtedly one of his most conspicuous qualities.

Mr. President: Chaudhri Allah Dad Khan!

Chaudhri Allah Dad Khan : I shall move my motion when the speeches on the motion for the consideration of the Bill are finished. I believe I may now speak on the main motion and move my amendment later on. (*Interruption*).

Mr. President : Mr. Mayadas !

Chaudhri Allah Dad Khan : I rose to speak on the motion, and I was disturbed and not allowed to proceed.

Mr. President : According to the decorum of debate the honourable member should have been listened to. But presumably some members thought that if he had the right to speak they had the right to judge whether they should hear him. Should the honourable member wish to speak at a later stage, I shall gladly permit him to have his say.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I hope that if the honourable member is allowed to speak again he will not be allowed to move his amendment as he has not chosen to move it when called upon to do so.

Mr. Nanak Chand Pandit : I do not understand the ruling given by you, and I wish to be enlightened upon it. The honourable member has got a motion in his name and he wishes to move it. You have ruled, if I understood you rightly, that other members have not the right to hear him, that is to say, they can create disorder so that he may not be heard. If that is the ruling may I request you to repeat it so that for our benefit we may understand whether if a member wishes to speak and other members start shouting 'do not speak' and the honourable member is keen on speaking, then he shall not be permitted to speak ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I am sure the honourable member has not understood the Chair rightly.

Mr. President : The honourable Mr. Pandit has misunderstood me.

Mr. E. Mayadas (Nominated, non-official : I have tried very carefully to follow the arguments advanced from the other side of the House, but I have found it rather difficult to follow them. One argument was that there had been undue haste in pushing this Bill through. It is indeed very difficult to understand this argument considering that the Bill has now been before the House for several months. Another argument was that the present Bill could not be compared with the provisions of the Panchayat Act for the reason that the Panchayat Act related to people who were generally illiterate, and that the funds were small beyond comparison. If it is true that they are illiterate, they are really deserving of gentler treatment, and if the funds involved are small, then those small amounts mean a great deal more to persons serving on those bodies. So that these arguments really do not amount to anything at all.

The needs of a single man are different from those of a married man, and the needs of a single family different from those of a number of families living together. In the same way the needs of a village are different from those of a small town, and those of a small town different from those of a large

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town. For example, in villages people by turns go out at night and keep watch and ward, but in towns people prefer to have paid chaukidars rather than do this kind of work personally. It is the same with the bigger towns, and the machinery becomes more and more complicated as the population increases ; as in the case of larger towns comes in the question of roads, lighting, cleaning of drains, medical relief, education and so forth. On the one side are the towns people that pay the taxes and on the other side there is the return which they expect. The expectation that they will get something substantial in return is reasonable. The place where the taxation is raised is of importance, and at the other end equally important is the use to which the taxes are put, and it is very necessary that the maximum good may be conveyed to the largest numbers. But if the cog-wheel in the middle, that is to say, the municipal members do not work efficiently there is bound to be wastage of energy and wastage of money. During the debate which we have listened to so far we have heard much more about the cog-wheel than about the results or the output, and the good that the people derive. If we had here the Examiner of the Local Funds Accounts, he would no doubt be able to give us very valuable suggestions because he knows a great deal about the inner working of these municipal committees, and he knows how for years he has gone on making complaints that rules are not adhered to, that money is being wasted, that powers used are in excess of those delegated, but in spite of it all very little improvement has been made. There is a saying that familiarity breeds contempt. Can it be true that in our large municipal towns the fact of seeing those roads lying broken for many years and the sewage channels getting choked up for many years and the infant mortality rising to a high figure and at the time of birth of children there being no suitable arrangements for the expectant mothers, can it be that we get so used to these things that we forget, and that it has become necessary for the Government to urge the municipal committees to take suitable action ? Sir, I have heard that some of the channels in this very municipal committee of Lahore were so choked up with silt that silt had stopped passing under them, and that they have been now cleaned after about fifteen years.

Mr. President : It is not the Lahore municipality that is under discussion. The motion before the House is that the Punjab Municipal Amending Bill be taken into consideration.

Mr. E. Mayadas : I am showing why it is necessary for Government to make new rules and make stronger rules so that the wastage of time and energy may be minimised. It is a fact that our electorate at the present time is not sufficiently educated, and we have known cases where members who have had a reputation for not being very straight have been able to get themselves re-elected if they entertained, and if they furnished drinks and lorries. In these circumstances it becomes all the more necessary for Government to see that the hard-earned money of the tax-payer is not allowed to be wasted.

There is sufficient material available to show that the working of municipalities in the Punjab is not satisfactory, and with your permission I will make reference to a few instances to show how very necessary it is for Government to amend the Municipal Act so that such things may not go on.

For instance, it has been discovered that in a certain municipality for seven years the auditor's objections were not attended to. In another case as many as 600 objections were found outstanding. In a third case almost 15 lakhs of rupees which had been asked for as a grant from Government for a special purpose were allowed to lie idle for over two years. It has been noticed in the case of a great many municipal committees that they were so anxious to incur certain expenditure that, not finding the funds forthcoming, they inflated their receipt figures in preparing the budget, and in this way provided money for expenditure. In one case the president of a municipal committee passed an irregular order giving remission to a contractor. In another case a president of a municipal committee who was a part-owner of a mill imported fifteen coal wagons and did not pay the terminal tax. It has been noticed in a certain local body that members recover taxes, but they do not issue receipts. Then about certain local bodies the Examiner of Local Funds Accounts has complained that they show utter disregard of the public works rules. In another case it has been noticed that in order to get certain estimates passed they are intentionally split up, so that they may come within the power of sanction. In another municipal committee a contractor had offered for a certain work which was given to him, but after two months he thought it would not bring him sufficient profit, and said that he wanted the contract to be cancelled. On this the engineer in charge made a report that that man's name should be black-listed, and that the amount of security which he had given should be forfeited, but the recommendations of the engineer were set aside. The members did not wish to displease the contractor, and no action was taken on the recommendations of the engineer and the work was got done through another person and Rs. 75 extra were spent, and thus the tax-payers' money was wasted.

Chaudhri Riasat Ali (Gujranwala, Muhammadan, Rural): Sir, I beg to move—

That the Bill be circulated for the purpose of eliciting opinion thereon by the 1st October 1933.

Mr. President: The words 'by the 1st October, 1933' may be omitted.

Chaudhri Riasat Ali: Very well, Sir. The Bill as it has emerged from the select committee is no doubt to some extent an improvement upon the original Bill, but I am sorry to add that it still retains intact its pre-natal defects. I do not want to look upon this Bill from a communal point of view or from a party point of view, but even then I find that it contains some very objectionable features. In an age when the whole world is going in for democracy in all walks of life, the Punjab must have autoocracy to begin with from the very base. As the provisions of the Bill have been discussed in detail in this honourable House, I shall make reference only to one or two points. Some of the provisions cut at the very root of democracy and the nailed fist of the executive is visible even to the naked eye. Take the provision relating to the resignation of a member. If a member wants to resign his seat, he must have the permission of the—

Mr. President: Is not the honourable member repeating the argument?

Chaudhri Riasat Ali : Nobody has so far put forward this argument about resignations.

Mr. A. Latifi : I do not think that the argument has been advanced before.

Mr. President : The honourable member may proceed.

Chaudhri Riasat Ali : The provisions about resignation are rigid. There is a provision in this Bill according to which if a member resigns his seat he must give his resignation to the deputy commissioner and that resignation will in due time be forwarded to the Local Self-Government Department, and it might rest with the sweet will of the Local Self-Government Department to accept it or reject it.

The Honourable Captain Sardar Sir Sikander Hyat Khan : What is the position under the present Act ?

Chaudhri Riasat Ali : I will come to that. This reminds me of the fable of a man and his blanket. Everybody here might know that the poor man wanted to get rid of the blanket but the blanket would not leave him. This is very strange. So far as the sense of responsibility of members is concerned, much has been said, and I do not want to touch that point.

I have two or three reasons to urge in favour of my motion. The first is that this Bill has again taken us unawares. It has a very remarkable history, and that history all of us here know. The Bill was published in the Government Gazette many a time in many forms. It was introduced in this Council and referred to a select committee. The report of the select committee was ruled out of order. It was again withdrawn, again introduced and again referred to a select committee. Now, since the day of its reference to the select committee the second time, we were under the impression that we were at least safe from its clutches, and that it had been lost into oblivion. But curiously enough it has again emerged from some dusty old corner of the Honourable Minister for Local Self-Government's almirah and is again following us like a shadow. It is again trying to find a place on our statute book, and is again trying to disgrace our statute book by its presence there.

The question of civic rights is a very important question, and we should not be very hasty about it. We all know that hasty acts are always dangerous, and acts of legislature are not an exception to that rule. It might be argued by the Honourable Minister that the Bill has been before the House for the last eight or ten months. I have already submitted that everybody here had totally forgotten about it. It is not necessary for me to go into the circumstances of our party not serving on the select committee. It is, however, clear that a large section of the House and the representatives of the people have not had the opportunity to criticise this Bill minutely and to examine it in various details, and therefore it is all the more necessary that when the representatives have not had the occasion of going through the Bill the people themselves must have the chance of going through it. Another reason, which is of course not of less importance, is that we are on the threshold of a new constitution. Our constitution is in the melting pot, and some of the proposals of the constitutional reforms have taken the shape of the White Paper. The people might say, why should we make

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legislation about the local bodies until we see our provincial constitution in a definite shape? We might even run the risk of being inconsistent. We might make a provision here to-day sitting as legislators for the government of local bodies, but to-morrow we may find to our utter disappointment that we do not like a similar provision in the constitution for our province. Therefore it is essential that before we pass this Bill into an Act we must see what the nature of our own constitution is going to be.

Another thing to be considered is this: Why should we tie down the hands and clip the wings of our future legislatures? Why should we frame the constitution of local bodies which are going to be their concern? Why should they not be allowed to have their local bodies according to their choice and according to their requirements? Again, we are, as it were, laying the foundation stone of a building and as Maulana Rūm puts it—

خشب اول چون نہد معمار کہ تا ثوبا سے روں دیوار کہ

If we lay down the first brick wrongly, the whole structure will be wrong even if you go on building up to the heavens. We must therefore give the people an opportunity to see for themselves the importance or otherwise of this measure. With these remarks I commend my motion to the House.

Mr. President: The motion is—

That the Punjab Municipal (Amendment) Bill as reported by the select committee be circulated for eliciting public opinion thereon.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural): Sir, I have great pleasure in supporting the motion of my honourable friend from Gujranwala. The quiet way in which this Bill has been smuggled into this Council is known to everybody. While on the 27th November last I was discussing with you a point in regard to certain matters of procedure, this Bill was smuggled into my seat, and I did not know of it then. When on the next day I saw in the Press that the report with the Bill had been placed in the hands of members, then only I became aware of it.

Now after an expiry of about three or four months this Bill is brought forward again without a word having been said about it previously. Some-time back I asked the leader of my party as to whether this Bill was coming up before the Council, and he replied that he had no idea. Even up to the 24th of this month we were not told that this Bill was coming up, but on the 24th the Honourable Leader of the House suddenly announced that the Bill would be coming up. Thereafter I thought that the Bill would be referred to another select committee because the select committee to which it was referred last was not representative of this House as many of the members did not co-operate. We were left with such guesses as to what step would be taken by the Honourable Minister, whether the Bill would be referred again to the same select committee or to another select committee or whether it would be circulated for public opinion, and so on. Not a single word was, however said by the Government member as to what was going to be done. But day before yesterday when we came to the Council we found on our tables a list of business which stated that the Bill would be taken into consideration. This is in short the history of the revival or regeneration of this Bill. If this Bill is really a good measure why should there have been so

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much secrecy about it so long? My honourable friend from Ambala, the other day, said that this Government was not a *bania* government. I am sure this act of the Government will correct his impressions. This is in true *bania* spirit that this legislation is brought forward in the Council, smuggling it without any member knowing anything about it. In these circumstances, it is not too much to expect that the Government would accept the motion for its circulation for eliciting further opinion.

While on this point I may submit that the Bill was no doubt circulated in the first instance, but it was referred mainly to officials. It was referred to district and sessions judges, deputy commissioners, and extra assistant commissioners and to a few municipalities, and only to one or two public men. The surprise is that the Honourable and learned Doctor also referred the matter to the High Court for opinion and he rightly got a snub from the High Court. The judges said that they were not bound to express any opinion on the legislation as that would come before them for adjudicating upon. This observation you will find in the list of the opinions received by the Honourable Minister. I am sure that even a layman, a man uninitiated into the domain of law would not commit such a mistake. I shall present to the learned Doctor Dicey's Constitutional Law or Bagehot's Constitution which says that no legislative measure should ever be put before a judicial officer for expression of opinion, because he has to adjudicate upon it afterwards. Yet this Bill was circulated to district and sessions judges and magistrates of all descriptions. I submit that this circulation was wrong, and has vitiated the whole proceedings, and that is a very strong point in favour of recirculation of the Bill in proper quarters.

My friend, Mr. Nanak Chand Pandit, urges me to say a word about surcharges. The Secretary, Transferred Departments, waxed eloquent on this subject and put forward certain arguments in support of the provision in the Bill. That should not go unchallenged. He said that the section relating to surcharge was not a new thing, and that it existed in England, and that it existed in that paltry Act called the Panchayat Act. I am very much surprised at this argument coming from a person of his experience as he has been a deputy commissioner. Does he mean to say that the same restrictions as are imposed on a new-born child, the panchayat, should be imposed on municipalities of fifty years growth? It is very strange indeed. There are many restrictions upon a child, but the same restrictions cannot be imposed on an adult of fifty years of age. Yet, the Secretary of the Transferred Departments at the top of his voice cried down the argument of Shaikh Din Muhammad, and said that he was bamboozling the House. His argument cannot hold water even for a minute. These municipalities were born in 1882, and at that time more power was given to municipalities than are being given now. The Viceroy then said that these municipalities should be left free to develop themselves, and no undue restrictions should be placed upon them. It is due to that that our municipalities have grown up to this extent. Speaking of mistakes, even Government members do commit mistakes. I can quote hundreds of instances in which deputy commissioners have made mistakes. Yet nobody has suggested that their powers should be taken away or that such restrictions should be imposed on them that they should be unable to work.

The learned Secretary said that when Mian Sir Fazl-i-Husain introduced the Panchayat Act not a single member resented the provisions therein. Really the members of the Council were wise people, and so they did not resent it. They knew that the panches which were being created anew should have some restrictions imposed on them in order that they may grow in safety. Besides the surcharge on these panches may not exceed more than Rs. 5 or Rs. 6, whereas in the case of a municipal commissioner it will be a very big figure. Again, the provisions talk of surcharge on account of dilatoriness. If dilatoriness should be punished, I think the Government members should be punished first. There are ever so many cases pending with them for months and yet no punishment has been meted out to them.

Mr. Nanak Chand Pandit, reminds me about the powers of municipalities to dismiss and employ its officers. Section 19 of the Act says that the municipality shall have to employ such servants as the local government desires them to employ. That is very strange. Municipal commissioners who have experience know their needs and requirements. They know what servants are required to discharge the duties expected of a municipality.

Mr. President : It is six o'clock.

NORTH-WESTERN RAILWAY ADVISORY COMMITTEE.

Mr. President : I have to announce that as a result of election held to day the following three members have been elected by this Council to serve on the North-Western Railway Advisory Board :—

Mr Owen Roberts.

Shaikh Muhammad Sadiq.

Khan Bahadur Mian Mushtaq Ahmad Gurmani.

The Council then adjourned till 2 p.m. on Monday, 8rd April 1933.

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PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Monday, 3rd April 1933.

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

THE PUNJAB MUNICIPAL (AMENDMENT) BILL.

Mr. President : The Council will now resume discussion on the motion—

That the Punjab Municipal (Amendment) Bill be circulated for the purpose of eliciting opinion thereon.

Chaudhri Allah Dad Khan (Ambala Division, North-East, Muhammadan, Rural) : Sir, I was discussing the other day some of the objectionable features of the Bill, and I quoted a section in my support. Now I shall take another section. This is about resignation. This is referred to in clause 6 of the Bill. It says that if a member of a municipality resigns, it depends upon the will of the local Government to accept it or refuse it. This is a new procedure.

[This is a reactionary provision and in order that the people whom it is intended to affect may have a full knowledge of it, the Bill should be recirculated. As I have already submitted, the previous circulation was defective.

Then another section is about the appointment of Secretary. It is said that the Secretary shall be appointed subject to the approval of the local Government. If the municipality wants its secretary to carry on its work properly, then it should be able to appoint its own man, a man who will be able to carry out the onerous duties. Why is the local Government thrust in to interfere in this case. In any public concern or even in any department of the Government, is the opinion of a man outside the department of any value ? The man of the department should have a prior claim. When the municipalities are autonomous and working quite independently of the local Government why should this provision be inserted ? Why should you bring in local Government at each step ?

Then, again, in the next section it is stated that if any servant of a municipality—secretary or any other officer—is negligent in his duty, the local Government shall call upon the municipality to dismiss him or punish him. Such reactionary provisions being there in the Act, no municipality in the Punjab can ever be expected to carry on its duty fearlessly, independently and satisfactorily. When at each step you put shackles round the feet of municipalities, how do you expect them to work independently ? What standard of work can you expect from the municipality which is tied down in this way. Then it is said that the local Government will be the judge whether an officer of a municipality has been negligent in his duties or not. This is very strange indeed. Who is the local Government in the case of municipalities ? The deputy commissioner

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who is working at a distance of a number of miles from the municipality, sitting at the headquarters of the district, he will form an opinion as to the negligence of the municipal servant. Such reactionary provisions should not have been embodied in the Bill. At the same time I am surprised to see that there is objection to the Bill being circulated. I have touched only a few of such reactionary provisions and I could touch on quite a large number if time permits. As if these things are not enough, there is another and a more serious provision and that is, that the local Government shall call upon each municipality to set apart a portion of its money for the inspectorate or the local self-government board. The local Government is not satisfied with its own powers and it has set up this local board or inspectorate to advise or supervise the municipalities. Then what are the powers left to the municipalities? None at all. You have got the executive officers, you tie them down with so many obligations and you still have at the head an inspectorate or a local self-government board. Then why should you give it the name of local self-government. Call it a department of the Government—the municipal Government of the Punjab. That will be the right term to use. Do not give it the name of Municipal Act. There is no Municipal Act in it. It is made a department of the Government. It is a misnomer to call it a Municipal Act. No freedom of action is given to the municipality. You interfere with it at every step. Every inch of its power is usurped. It cannot be called a Municipal Act (*An honourable member*: Then, what do you call it?) It might be called an Act for controlling a department of the Government, or give it some other appropriate name. This provision about the local self-government board is most undesirable. There are other undesirable provisions too. As a representative of the zamindars I am chiefly concerned with one provision and that is the one which relates to declaration of certain crops grown within the municipality as being injurious to the health and prohibiting their growth. This provision hits the zamindar as badly as anything else. I have got personal experience in this matter. In Jullundur town there is a large area which is cultivated near the houses. In the middle of the town there are many green spots where very nice crops are raised each year, and these are bringing in thousands of rupees to the farmers. This is the case not only in Jullundur but also probably in many other towns, such as Gujranwala, Sheikhpura and Gujrat. In Rawalpindi also there are many green spots in the city. Now according to this Bill the municipality can prevent or the health officer can prevent the raising of any crops. He has to certify that the crop raised is injurious to the health of the people living in the locality. It may happen that a certain municipal commissioner and the health officer are displeased with the cultivation of the land and so they can say that it is a public nuisance. I have personal experience of a case in Jullundur where this actually happened. They got up a criminal case against the man concerned for stocking manure and raising a crop in a certain portion. But the case was dismissed. Now under this Bill there will be no green crop worth the name in the towns. The zamindars are already suffering very heavily and this will be an additional trouble to them. They will be prevented from cultivating their lands in the towns. The poor people will not be able to live in towns. The result will be that they will leave the towns and the

towns will be left only to the urban people. I do not blame the urban people. But I am sorry that this will be the condition. Perhaps, if I had not the personal experience which I have mentioned, I would have skipped over this provision. But having got personal experience as to how the thing works, I am sure the farmers will be deprived of their green spots in the towns. The zamindars will be ruined. They cannot raise such valuable crops in the villages because it will be very difficult to carry them to the towns. The result will be the farmer will not be able with his meagre income in the village to support himself, his wife and his children. The farmers are denied even their source of existence. Do the Government mean that these farmers should be wiped out of this earth or that in the towns there is no room for them? If this result follows, then the Government and the urban people will regret it in a short time, when they will have to pay very heavy prices for the things brought from villages. This provision out-herods Herod. I therefore call upon my Hindu brethren who are zamindars to see that such a provision is not passed, even if the National Unionist Party walks out. My friend from Dharamsala knows that in that place there are many such green spots on which many farmers live. As to whether the powers of the municipality would be rightly used I have quoted my experience of Jullundur where there was really no public nuisance and no danger to the inhabitants but the health officer was only displeased with the man concerned. He spoke to me personally about it and said that the case should be decided against the farmer. I state this on solemn affirmation that he interested himself in that case and not only did he bring pressure to bear upon me himself he also made big officers to bring pressure upon me to punish that man. I said, the health officer is himself empowered to punish him; what is there to prevent him from doing so? If such a law is allowed to be passed, the poor farmer will have to supply vegetables to municipal commissioners and health officers and secretaries and even to the octroi munshis. It is very strange that Government should take so keen an interest in preventing small farmers from carrying on agriculture in the towns. This is a most undesirable provision and I make a special request to all my brother zamindars to rise like a man, be they Hindus or Muslims, and see that this Bill is not allowed to come on the Statute Book unless this provision is deleted. I ask, why should you embody this provision in the Bill? I address my remarks to the Secretary to the Local Self-Government Department.

Mr. President : Remarks should not be directed to an individual member.

Chaudhri Allah Dad Khan : Have you experienced anything of the kind that you should include this provision in the Bill? Have you found that any town or city has been subjected to any visitation of plague or any similar disease because of the operations of these farmers? On the other hand I suppose that it is helpful for the purpose of health. Such cultivation clarifies the air of the towns and cities. Yet the provision has been made with all the vengeance that a non-agricultural Minister can muster to his aid. The provision is so drastic that no farmer will be allowed to cultivate even a small plot of land in the midst of towns and cities. The poor farmer will thus be deprived of the advantages of living in towns and cities. I think that if nothing else, this very section is quite sufficient to damn this

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Bill for ever and is enough to make it worthy of being consigned to flames of burning fire. I should like to put a question to the Honourable Minister for Local Self-Government if he has suffered from any disease because of the presence of such crops in the precincts of a town. I believe on the contrary he might have derived some benefit from such presence. Is this then the way to return evil for good? I do not think there is anybody in the province who will, if this Bill is circulated, support it after these remarks of mine which are based on experience (*cheers*). If you circulate this Bill, they will say that this one provision is enough to damn the whole Bill. But there are many other considerations which require that the Bill as it is should never be put on the Statute Book. Why should anybody be afraid of its being circulated? Already enough delay has occurred. The report of the select committee was made in September and now after six months we are told, and that at the spur of the moment, that we should discuss it and pass it. No harm will be done if another month or so is spent in circulating it for public opinion. This single provision at least deserves to be brought to the notice of the people after my severe condemnation. I am sure that no single man in this House, not even the agriculturists, would agree with this particular provision. As we may not have time enough to discuss individual sections of this Bill, I suggest we should take great care to sift out this provision as well as others which are injurious to the people. We should see that such undesirable provisions of which the one that I have just mentioned is a sample are not incorporated in the Act.

Having said this I proceed to the next section. It is quite clear that all these clauses which I have pointed out will entail a heavy amount of work on the deputy commissioners who are already overworked and everybody on the Government benches will bear me out that a deputy commissioner is already too busy to accept any additional work. Everybody knows it and I think I know it better than anybody else. I know of cases where if I asked a deputy commissioner to attend to an important work he very often told me that he was very busy and that he was not going to kill himself for that damnable work. This invariably was the answer which I got. Who is working the local self-government now? Everybody knows it is the local government clerk in the deputy commissioner's office and the second clerk in the commissioner's office. Whenever a municipal committee wants the advice of a deputy commissioner on any particular point, the deputy commissioner marks that paper on to his office to report and when the report comes that very report is forwarded to the municipal committee. Anyhow this Bill will entail very heavy work on the deputy commissioners which they will not be able to carry out and the result would be that additional deputy commissioners would be appointed. They would be called joint deputy commissioners or extra assistant commissioners. That is foreshadowed in section 4 (a) where the term deputy commissioner has been made wide enough to include all sorts of persons and not only extra assistant commissioners. It is very strange. The position of the deputy commissioner would be very awkward and the respect that the post inspires in the minds of the people will be lost. These additional duties, I am sure will be placed on joint deputy commissioners or whatever you call them. Everybody knows that during the April disturbances there were joint deputy commissioners

everywhere. These poor fellows had nothing to do but to issue orders on the reports that came from the districts. Perhaps the I. C. S. officers think that they will be able to provide a few more openings for themselves as deputy commissioners.

Mr. President : How is that relevant ?

Chaudhri Allah Dad Khan : In clause 4 (a) it is stated that the deputy commissioner of the district or any joint deputy commissioner or any other officer or any person appointed by the local Government may be called upon to discharge the additional duties. It is therefore necessary that these provisions should come to the notice of the people.

Mr. President : Are these provisions altogether new ? Were they not in the original Bill ?

Chaudhri Allah Dad Khan : Clause 4 (a) is quite new. If it had not been new the Honourable Minister would at once have pointed out.

Mr. President : My point is that two amending Bills have been placed before this House. The original Bill, was thrown out for a technical irregularity and then a new Bill was introduced and referred to a select committee. The original Bill, so far as I recollect, was circulated for eliciting public opinion thereon. Now if the provisions which the honourable member is describing or considering as reactionary were in the original Bill which was circulated for public opinion, I do not think that he is in order in discussing the same provisions again.

Chaudhri Allah Dad Khan : That Bill is no more and the one before us is an altogether new Bill. I dare say it was never circulated. It was, by your order, thrown out and is not before the House and I am quite entitled to refer to its provisions. That is my opinion and I make this assertion subject to correction. That Bill is not before the House. That is now in the waste paper basket. Similarly about commissioners I dare say there may be some joint commissioners to carry on the additional duties. The point is that these additional appointments will entail a very heavy expense on the zamindars. They are now to bear the salary of one deputy commissioner ; in the changed circumstances they will have to bear the salaries of two of them. Question therefore arises whether you are going to seek additional appointments for the I. C. S. at the cost of poor zamindars. This should cause you to think and this should open your eyes, if nothing else in the Bill should, that you should not be a party to the passing of such a measure and should not allow it to become a law of the land. When so much power is to be placed in the hands of the deputy commissioner, what is there to prevent him from misusing those powers ? I do not think that every deputy commissioner would abuse these powers, but a number of them would abuse them and if an illustration of this is required then my friend Mian Nurullah furnished the other day an example of the deputy commissioner of Lyallpur ordering the reinstatement of an employee who had been dismissed by the municipal committee. The facts of this case are so clear that I will relate it even at the risk of being long.

Mr. President : I cannot allow the honourable member to relate his story.

Chaudhri Allah Dad Khan : Very well, Sir. Then coming to the most amusing point in the speech of the Secretary for Transferred Departments, I hope I am entitled to reply to his arguments. He stated that there ought to be better control over these municipal committees because experience taught them that they have misused their powers. When I asked him what was his authority for demanding better control, he cited Khwaja Muhammad Eusoof as having said that there ought to be stricter control of officers. This reminds me of a very amusing story.

Mr. Nanak Chand Pandit : You are a story teller.

Chaudhri Allah Dad Khan : In the Gurgaon district it was once reported to a European deputy commissioner that the zamindars of a particular village failed to supply carts for transporting his luggage. The deputy commissioner got enraged and ordered the zamindars to appear before him. He interrogated them but in the end wrote an order punishing them. When he came to the last sentence of his order, he sentenced the zamindars to six months' imprisonment but called in his munshi to quote the section under which the punishment should be awarded. The munshi was nonplussed and in the confusion of the moment he blurted out 'section 34.' So the deputy commissioner wrote that the zamindars were imprisoned for six months under section 34. The matter did not end there. It went on appeal to the sessions judge and the sessions judge, of course, acquitted the zamindars and remarked that he had consulted all the legal books in India on the subject but could not come across that mysterious section 34 under which the deputy commissioner gave his sentence and added that if the deputy commissioner could find any such section it should be brought to his notice. This story exactly applies to the remarks of the honourable member, the Secretary for Local Self-Government Department. He said that the honourable member, Khwaja Muhammad Eusoof, had remarked that there ought to be tighter control over municipal committees. But in contrast with this view I present the honourable Secretary with the principles laid down in the Montagu-Chelmsford report which was the basis for the present constitution. At page 123 of report—this is a very valuable observation they make and it should knock the bottom out of the present Bill—the authors of the report say—

This brings us to the formula that there should be as far as possible complete popular control in local bodies and the largest possible independence for them of outside control.

In face of this observation the assertion of the honourable member Khwaja Muhammad Eusoof should not carry any value and strange enough I enquired of the honourable member whether it was true that he had made the remark. He said that he did not say anything of the kind. Even granting that he said so, it is strange that in spite of the dictum enunciated in that constitutional document, the opinion of the honourable member, Khwaja Muhammad Eusoof is quoted in justification of the position taken by the Government. Is this an illustration of the proverb that a drowning man catches at a straw, that when the honourable Secretary has no authority he would utilise the remark of an honourable member like Khwaja Muhammad Eusoof, granting that he had made such a remark? The authors of the Montford Report go on to say at page 127 that the ac-

accepted principle should be that the municipalities should be allowed all independence and should go on making mistakes and be allowed to develop by their mistakes. Despite these principles which are laid down in that report this Bill is brought before us. I am sorry that successive ministers under the reforms who were put in charge of local self-government have failed in their duties in not trying to lessen the grip which the officials had over the municipalities. In view of these principles contained in the Montford report it was up to each minister to take steps to loosen that grip which the bureaucracy had over the municipalities. But minister after minister has failed during these twelve or thirteen years to take any step in that direction. Not a single enactment has been passed which has tended to relax the bureaucratic grip. Far from it, amendments have been brought from year to year which have had the effect of tightening that grip. It cannot be said that it was for Parliament to enact such a provision in the Government of India Act because they knew that the local legislatures were competent enough to embody those principles in their Acts and that the ministers would be careful to see that they were embodied in the statutes of the province. But so far as we can see no minister has ever taken the trouble to notice the principles already in the report which are italicised to bring out their importance. Now, however, a negation of those principles is being attempted by this Bill. Will either His Excellency the Governor or the Governor-General give his assent to the measure? Perhaps the wholesome provisions enunciated in the Montagu-Chelmsford report have not been brought to the notice of either the Governor or the Governor-General, for if attention were drawn to them I have little doubt that they would not give their assent. It will then all be labour lost. If the honourable Minister or the Secretary who is piloting this Bill through this House gives time for circulating the Bill and eliciting the opinion of the public on it, it will save all further trouble and the expense that would be involved in passing it into an Act at this meeting. This is a sane counsel which I hope the Government would accept.

I would not have urged for circulation if the report of the select committee had been of any value. If you look at the report it will be observed that it is only of one page of 60 lines. Yet several months were taken in producing that report; the select committee went to Simla; the presidents of municipal committees were consulted at Lahore. The final upshot is a one-page report. I do not say that the Honourable Minister is to be taken to task for this measure. For we have it from the Secretary to the Department that none of the three ministers had got the necessary experience of municipal administration. The only implication of this remark of his is that he is a higher authority in municipal matters than any of the ministers and that he is piloting the Bill and not the Minister, because the Minister has no experience of municipalities. The honourable Secretary in making that remark unconsciously uttered the truth. I ask, is this House going to do anything at the bidding of an honourable member who is a member of the Indian Civil Service and who is consequently more anxious to preserve the rights of that service than to benefit the municipalities? It is no use blaming the Honourable Minister for Local Self-Government. We do not know his difficulties. He is made to pilot this Bill.

The Honourable Dr. Gokul Chand Narang : I request that the question be now put.

Chaudhri Allah Dad Khan : Not while I am still speaking.

Mr. President : I remember to have ruled some time ago that a closure motion can be moved not only at the end, but also in the course of a speech ; and as the request made by the Honourable Minister is on the same footing as a closure motion, I think that it can be made even when a member is speaking.

Khan Bahadur Shaikh Din Muhammad : I wish to bring to the notice of the House that this request by the Honourable Minister is most unfair because this is the second speech in support of the motion for circulation. It is an attempt to stifle the debate on such an important question and I urge that it is highly unfair.

Mr. President : If the honourable member, who is in possession of the House, does not observe the rule of relevancy, I shall have to accept the request of the Honourable Minister, as to cut short an irrelevant speech is the duty of the Chair.

Chaudhri Allah Dad Khan : It is in your power to stop me whenever I am irrelevant. And I never question your authority.

My point was that the report of the select committee covered just one page. At the same time you will find that all the presidents of municipal committees were consulted. I ask, where is their opinion ? Why have not those opinions been printed as an appendix ? Why have they been suppressed ? It is said that their views are embodied in the report and the report is only one page. Even my honourable friend Mian Mushtaq Ahmad who wrote a dissenting minute has occupied two pages and the report of the committee is only one page. For this, all the members of the select committee were summoned to Simla. All the presidents of municipal committees were summoned to Lahore and not a word is said about the views they expressed. I am entitled to ask, what views were expressed by those presidents ? Perhaps such questions make the Honourable Minister uneasy. If the cards of the Honourable Minister are clean he should place them on the table. Where are those opinions ? They were probably contained in a memorandum. I ask, were not the opinions worthy of publication, were they not worth the paper on which they were written ? And yet it is said that we should have confidence in the Minister and pass this Bill into law. It is not at all going to be done. Whenever any honest opinion is expressed on this side of the House the honourable members on the Government benches are annoyed and raise the cry of irrelevancy or some other objection. My honourable friend the member for Gujranwala has urged very many important points not a single one of which has been answered so far. I have shown how flimsy the arguments on the Government side have been. There has been no reply to the assertion of facts and of law contained in the speech of the honourable member from Gujranwala. I have torn to shreds the arguments used by the honourable Secretary for Local Self-Government. Without attempting to reply or contradict our statements the request is made by the Honourable Minister that the question be put.

There is one more point. The new constitution is coming. My honourable friend the member from Gujranwala understated the case when he remarked that this Bill was similar to the White Paper. For in the White Paper all the powers have been thrown open to Ministers and only safeguards have been kept by the Governor and the Governor-General. In this Bill, on the contrary, there is no throwing open of any power to municipal committees but at each step there is interference and intervention and no safeguards are provided. There are several such provisions and I therefore strongly urge that the Bill should be circulated. After all, the public are the best judges of the provisions. We in this Council are not allowed sufficient time to dilate at length on the several objectionable provisions. I would have, if there was enough time, torn to minute pieces the provisions of the Bill. Why should not Government wait till the new constitution comes into working? It will not take much time. It may be only six months and during these six months municipal committees are not going to walk away with public property, with the money with which they are entrusted and there are surely not going to be serious defaults by which the local Government will be brought to trouble. I am therefore not asking too much when I say that the Bill should be circulated for the purpose of eliciting public opinion. I wanted to say very many things more but I think I have said enough in support of the motion.

Mr. Owen Roberts (Nominated non-official): Sir, it is with very great reluctance that I venture to rise to speak on this Bill, but there are certain things which must be said at this stage if they are to be said at all—things that cannot be said at a later stage.

The first point to which I wish to draw Government's notice is one which you referred to indirectly a few minutes ago from the chair. In the proceedings of 28th April last year, you were pleased to observe:

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.

This affords one concrete instance of an entirely new matter imported in the amending Bill which has not been before the public. The honourable Secretary for Local Self-Government has been pleased to observe that this Bill has been before us for the last three years, but I think you will agree that these important matters have certainly not been before the public for three years and in fact the public has not had an opportunity of expressing an opinion on them at all. In the present case it is proposed to alter two other clauses in the Bill at least. In one of them it is proposed to alter the Criminal Procedure Code and in the other a new principle of taxation is sought to be introduced, and both these things are being done without obtaining the opinion of the public direct on the merits. We may ask ourselves, I am sure people have been asking themselves, why there is this strong opposition to this Bill. I think the answer is and really in a sense it is a compliment to the opposite benches, that it is their legislation which has compelled public opinion to turn its attention to local self-government problems with an intensity which they never received before. New issues have been raised which go far beyond the words or phrases employed in any of the Bills that have been sent to us. I would also suggest that no

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remedy is possible in many of these cases owing to the limitation imposed on us by the Bill itself, and on this point I would refer specifically to two subjects. Public opinion lies in the direction of consolidating authority with municipal committees without in any way weakening Government's control, whereas the Bill at its best tends to perpetuate the existing system and also, if I may say so, adds irritating features that interfere with the small liberty that the municipalities now enjoy. The two instances that I have in my mind are those relating to nomination and supervision.

A few days ago my honourable friend who represents the landholders' constituency put into my hands a large number of amendments which I understood from him it had been decided should be pressed. Amongst them were a group of amendments the effect of which would be to remove nominated members from municipal committees. Here is an instance of where the public are thinking ahead of Government and not without justification, because in the new Constitution Act nomination will no longer find a place and it is only reasonable that people should also desire to place local bodies on something of the same footing. But unfortunately no remedy can be applied to this defect. Unless the Bill is recirculated it will be impossible to bring forward either the main proposal or other side-lights on the subject of nomination which are of the greatest importance and here I particularly wish to draw attention to the use made in England of the powers of nomination. In England, although no nomination of councillors can take place, yet there is a power of nomination with Government and I will explain the method of application. The functions of municipal town councils are so divided up that they are carried out by different standing committees and Government has the right, or the Ministry which is particularly interested in any sub-committee has the right, to nominate members to that standing committee who can take a full part in the proceedings of that standing committee provided only that the number of persons nominated is less than the number of councillors. The effect of this can be seen by a little simple arithmetic. We will suppose that you have a committee of 40 persons whom you divide up into ten standing committees of four persons each. To each of these sub-committee you nominate three persons. You then have 30 persons nominated to the Council as against a total membership of 40, and even more favourable figures might be constructed. The effect of this nomination is that while it does not deprive the Council of the first and last word in their affairs because the proceedings of all committees must be confirmed by the Council, yet it does broaden the basis of administration and interest in the work of the Council.

In India nominated members are frequently regarded as people of small account and people who act merely in response to the dictates of other persons, but there is another side to this question. If you bring in a large number of independent persons into municipal administration in this way without taking away from the powers of the committee, you will introduce the possibilities of criticism and of developing municipal interests that you do not possess to-day. A nominated person to-day is of small account because it is considered that he has sold himself if he consents to serve, and if he does not misbehave his seat will be safe. On the standing sub-

committees the position is slightly different. These persons will have no seat to look forward to. They would also be selected from among people who are specially interested in one particular subject and the public would have the benefit of their opinion and they would have behind them the force of public opinion in compelling the councils or municipalities if necessary to raise taxation even where money might be required to carry out their projects. If this Bill is circulated, a point like this can be thoroughly thrashed out and can be included in the Bill or left out of it as a result of the thrashing out.

I come to the matter of supervision. There is the half-hearted reference to an inspectorate and I ask you to observe the cold nod of recognition to the growing desire of the public to an alteration in the general system of supervision. I do not think, Sir, that it is becoming of Government to sit on the fence in the way in which they propose to do in the Bill. Their attitude is half-hearted. Either they should accept the principle of this Bill and drop inspectorates or cut out all references to deputy commissioners and commissioners and take powers to appoint its agents for purposes of inspection and investigation. You must give way somewhere to public opinion on these matters. I object for one thing to the name 'inspectorate.' I should like to see this controlling body called by something which implies something greater than functions of a ticket examiner. At present in my humble opinion authority in these matters really vests in nobody. The deputy commissioners and the commissioners can be and are often overruled if they act and often they do not, the Ministry can hide itself behind a statement that these officers do not do their work. That is the exact position and by accepting frankly the idea of a central supervising body or board, Government will at least avoid this position.

There is one last word which I wish to touch. Things may be said in the course of a prolonged debate on this Bill that would certainly be put otherwise when the more balanced judgment that guides the pen comes into play. As it is, opposition to this Bill has been characterised as communal. That, Sir, I am not going to reply to, but I feel that on behalf of this side of the House I am entitled to say that there is at least as much sober judgment in the opposition to this Bill as there is misplaced enthusiasm displayed on the opposite benches in favour of it.

Mr. Nanak Chand Pandit (Hoshiarpur, non-Muhammadan, Rural) (*Rising amidst cheers*): Sir, I acknowledge with thanks the reception given to me to-day. I hope that the House will take into consideration the arguments that I am going to put forward with the same magnanimity.

3 P.M.

I oppose the motion which has been moved by my friend on my right for the circulation of this Bill. The Bill has been attacked as a matter of fact, on various grounds. One of the grounds taken by almost every member on the other side of the House is that it is undemocratic and that it curtails the liberty of municipalities.

Khan Bahadur Shaikh Din Muhammad: Is the honourable member in order in discussing the general provisions of this Bill while speaking on the motion for circulation of the Bill?

Mr. President: The honourable member is not discussing any of the provisions of the Bill.

Khan Bahadur Shaikh Din Muhammad : He is talking about the undemocratic nature of the Bill.

Mr. President : He is replying to the criticism of members occupying these benches.

Mr. Nanak Chand Pandit : I would just say this that I am opposing this motion and explaining why this Bill should be taken into consideration immediately. I cannot proceed with my argument unless I am able to meet the arguments that have been put forward either in opposition to the motion for taking the Bill into consideration or in favour of its circulation. The objection, therefore of the honourable member, to my speech on the ground of irrelevancy is not intelligible. I was submitting that it has been argued that the Bill is undemocratic, that it curtails the liberty of various people who form the municipal committees. Unfortunately, my idea of democracy is quite different from the idea which the honourable members on the other side have got. Democracy, as understood by almost all political thinkers outside India, is this : It is the rule of the people by the people for the people. You cannot divide the people into Hindus, Muhammadans and Christians and so on as is done in the case of municipal elections at the present day. The division of people into various sections and communities I submit, is entirely undemocratic. It has got no sanction of any political thinker. Therefore, unless you prove that you are the followers of real democracy as it exists and as it is understood in other countries, you cannot possibly bring forward the plea that this Bill is undemocratic.

Now, this division of the people into Hindus, Muhammadans, Sikhs and others, is itself responsible for the inefficiency of municipalities. In this very House, Sir Geoffrey deMontmorency when he was a member of this House, said with regard to public services that people who come on a communal ticket are not going to regard themselves as servants of the people at large but as servants of that particular community to which they belong. Similarly with regard to municipal committees our every day experience is that whenever there is a desire on the part of a representative of any community to be just to the members of other communities, a howl is raised in the Press and on the platform that such a person is betraying the best interests of the community to which he belongs. My learned friend, Muhammad Eusoof placed in my hands two or three posters against the Ludhiana municipality. There has been so much opposition to the actions taken by the municipal committee on the ground that such and such a person is going to destroy the rights of a particular community. I shall not name that community. A howl was raised by posters, by speeches and by various other methods. These are, however, our every day experience. Therefore, I submit that the idea of running the municipalities, or for the matter of that, any representative institution, not on the ground of pure citizenship or membership of a particular state or particular locality, but on the basis of religion, caste or any other matter of that kind, is opposed to all democratic ideas. That is why we find to a large extent the lowering of efficiency. The invasion of corruption into the services, the invasion of various other matters which go to lower the efficiency of administration in public bodies, is all due to this division of the people into various com-

munities. The very idea of democracy as understood by my friends opposite, is entirely foreign to political thought of modern days.

Mr. President : Not a single clause of the Bill refers to any of these matters.

Mr. Nanak Chand Pandit : I am quite cognisant of that. I am only submitting that the opposition that has been raised against the Bill on the ground that it is opposed to democratic principles, is entirely wrong and that pure democracy does not exist anywhere in our municipalities.

Assuming, for the sake of argument that the democratic idea as conceived by the members who have opposed the Bill is accepted as correct, even then, I submit that the Bill is not undemocratic. Why? There is some ground for saying that you should divide the Punjab province into small city states or small townships, each township being independent of the central government. That was one of the ideas to which Mr. C. R. Das at one time gave expression. When he was developing national democratic government, he gave expression to that idea.

On the other hand there is an equally powerful but more modern idea of democratic state, namely, that the state is representative of the people at large and that these small cities or municipalities are not to be made entirely independent of the central government. (*Interruption*). What I am submitting is that the central government being representative of the people at large, that is, the provincial government in this case being representative of the people at large should have a right of control over these local bodies. If the local bodies fail in the discharge of their duties the central government must have the right to say so to the local bodies and direct them to discharge their duties. That, I submit, is not opposed to the idea of democracy. The modern tendency is to make the central government absolutely representative of the people. When the central government is so representative of all the people, there is nothing undemocratic about it if the central government interferes with the affairs of local bodies. There is nothing unnatural about it, there is nothing in it that you can call depriving the people of their right. This is the modern tendency and therefore if under this Bill the central government, that is, in this case the provincial government is armed with greater powers of supervision and control than it possesses at present there is nothing objectionable in it. The powers of the local bodies still remain with them. Besides, the local bodies derive their power only by delegation by the provincial government of its own powers to the local bodies. Therefore, if on any occasion it is found that a local body on account of its incompetence or on account of corruption prevailing among its constituent members or any other cause is not functioning as efficiently as it ought to, then the central government can and ought to interfere. Such interference is not undemocratic in the least. Therefore my honourable friends who have spent their eloquence in trying to show that this Bill takes away the liberty of the people have not rightly understood the trend of modern democracy. Besides, the supervision and control of the provincial government means supervision and control by ministers who in their turn are the elected representatives of the people in the legislative council. Therefore when they interfere with the affairs of the local bodies they do so in their representative capacity of the people and not in their

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individual capacity. That is another point why you cannot call this Bill in any sense an undemocratic measure.

We are not out to split the Punjab into small city states. As a matter of fact, if you read the History of India during the last thousand years, you will find that the real reason why we fell an easy prey to successive invasions was that our village communities were given too much liberty, too much independence which should not have been the case. The result was that we could not call forth our national or democratic powers to repel the foreign invasions. We are now giving up this idea of village communities and are developing national ideas and this Bill goes a long way in developing that idea.

The next point that was raised was whether a case has been made out for the passing of this measure. That leads me to the question of the inefficiency of municipal administration. In this connection I should like to place before the House, though hesitatingly, one or two of my personal experiences. I hope the House will pardon me for narrating to it my personal experiences. Take for instance, the Lahore municipality. I would invite any of my friends sitting here to take a stroll along the streets of Lahore city to see how the sanitation is controlled and how the roads are repaired and maintained in the premier municipality. They will find that there is great room for improvement and that on account of the dissensions that prevail in the municipality, the safety of the people is not properly looked after. There is a small road in front of my house. Though it is a small road, it is nonetheless an important road situated in an important part of the town. That road passes near the High Court, the post office and almost all important industrial or commercial centres. During the last year or so the two roads on both sides of this small road were metalled and repaired. A part of this road too was metalled, but the other portion was left out. About half a dozen houses are situated on this portion of the road and all the residents of these houses are sweltering in a storm of dust. There is a huge lorry traffic and we have to inhale and exhale a lot of rubbish. Now I would like to know why two roads one on this side and one on the other should be looked after and metalled and why that part of it which is in front of my House should be neglected. In spite of my repeated requests nothing has been done so far. We made a lot of complaints about this and now we find that 15 or 16 days ago a large number of cart loads of dust and filth are placed in front of my house. I asked the municipal employee who was in charge, what this meant. He said "your road is going to be repaired." "But why these broken rubber tyres, these broken irons of bicycles and this dirt and filth? Are you going to repair the road with these things?" He said, "the municipal committee has no funds and your road is not in the list of roads which are to be repaired. You are complaining, what should we do?" I ask you to verify these facts. This continued for about 15 days, huge cart loads of rubbish standing there. We then wrote to the health officer and then it was removed—a portion of it—to the other parts of the road. Anybody who makes a visit can find it out. Again the drain which is in front of my house and which is intended to drain storm water is used as a canal for carrying the whole sewage of the

city. You cannot sit in the house. Many of my guests had to leave the house because of the bad smell emanating from it.

Khan Bahadur Shaikh Din Muhammad : May I ask whether you will be pleased to allow us to refute these arguments? The honourable member is irrelevant and I had already submitted that he was drifting into irrelevancy. And when we would stand up to give him a reply you will be pleased to call us irrelevant.

The Honourable Dr. Gokul Chand Narang : Perhaps the honourable member wants to point out why the Bill should be passed soon.

Mr. Nanak Chand Pandit : This thing has been going on and I challenge my honourable friends, 5 or 10 of them to come and see the condition for themselves. This is not a solitary case in Lahore.

Mr. President : The honourable member will please proceed with his other arguments.

Mr. Nanak Chand Pandit : I want to say further that in Lahore, if I take a motor ride and if I go through Hotu Singh Road, it is impossible—

Mr. President : Any number of illustrations can be given.

Mr. Nanak Chand Pandit : I may submit that this is the condition of the majority of the municipalities. I am not talking from the communal point of view. I want you to realise that these germs make no distinction between Hindu and Muhammadan and Sikh. The germs of cholera the germs of smallpox do not make any difference between the communities. Do you know, Sir, that thousands of people were carried away in the last few months by smallpox? If these diseases are not the result of insanitation and things of that sort, I fail to understand to what else they are due. My honourable friend here says, look at the powers given to the municipality : the zamindar is not permitted to heap his rubbish, his human excreta near the dwelling place, and consequently he will die of starvation. My honourable friend forgets that the zamindar would very much like that his children's and wife's lives should be protected from cholera germs and therefore if the municipality makes a provision of this kind, it is not to destroy the crops of the zamindar but it is to protect his wife and children and other people whom God has entrusted in his care and if the municipal committee does not come to the rescue of these unfortunate people near whose houses the village rubbish is stored, I fail to understand the mentality that prompted my friend to make a speech of that kind. Now the need for the improvement of the administration of the municipalities has been emphasised even from the opposite benches. As a matter of fact, I have listened very carefully to the speech of my honourable friend, Mr. Owen Roberts. He said, what is the good of tinkering with the present Municipal Act? It requires amendment wholesale. Therefore bring in a new Bill. That is what I understood him to say. If I am mistaken I may be corrected. Then in the minute of dissent appended to the report of the select committee the need for improvement has been emphasised by Khan Bahadur Mushtaq Ahmad. Go to any part of the Punjab and you will find the voice that something must be done to improve the administration of municipalities. It is argued that time must be given.

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I say time has been given. Municipal committees had all the time at their disposal. But unfortunately the cholera germs will not wait; the plague germs will not wait; the smallpox germs will not wait and therefore we are entitled to ask the people who are responsible for the administration of the Punjab that they should come to the rescue of those rate-payers who are daily, nay, hourly losing their lives, the lives of their wives and of their children and who are asking that something must be done to improve the municipal administration. Some honourable members have said, only the other day the Executive Officer Bill was passed and what is the result? I can tell you there has been great improvement on account of the appointment of executive officers. Everywhere improvement is shown in the administration of the municipal committees. People have come to me in scores and hundreds and admitted that if they are given time and there is co-operation—and that is an essential factor—co-operation between the people and the executive officer—the administration of the municipal committees is bound to improve much more. That is a consideration put forward by some of the members and I thought it essential to bring this point to their notice. What is after all the criticism made against this Bill? In one case it is—as mentioned by my honourable friend Khan Bahadur Shaikh Din Muhammad—that there is a surcharge, that if the municipal committee loses some of its funds on account of dishonesty or negligence of the members of the committee, they should not be punished. This criticism was met by Mr. Owen Roberts who said that this provision of surcharge is found in other places too and it must be here too. Again in the first place this power of surcharging is already there in the existing Municipal Act. In the second place if a person misbehaves, if a person through dishonesty or corruption or negligence, takes away the money which belongs to the people, should he not be made to pay that amount? It is said that sometimes the municipal commissioners are negligent, sometimes they do not attend the municipal committees. Credit your deputy commissioner or your commissioner or your Local Self-Government Board with some amount of sense with which you credit the so-called illiterate or irresponsible members as Mr. Din Muhammad was pleased to call them. He said that the lowering of the franchise has resulted in bringing irresponsible men into the municipal committees. Whatever the case may be, it is admitted that in the municipal committees there are occasions when people come in who do not possess the proper amount of education, education not only in the intellectual sense but also in the moral sense. They come and corrupt the municipal administration, and some remedy must be found to stop this. And should they not be made to pay something out of their pocket for the loss they create to the municipality? Again the Bill does not leave the matter entirely in the hands of the commissioner or the deputy commissioner or the Local Self-Government Department. The Bill says that if a person is prejudiced by an order of this kind, he can go to a civil court and I do say that if there is any defect in regard to that matter, it can be amended by a proper amendment.

Mr. President : I find no such provision. All that the proviso to clause 23 lays down is that an aggrieved person shall not be debarred from seeking remedy in a civil court.

Mr. Nanak Chand Pandit : What I submit is that the principle of surcharge, the principle of penalty, the principle of punishment is not opposed by at least one member sitting on those benches—Mr. Owen Roberts. And if such a healthy clause is not accepted, I submit you are betraying the best interests of those who sent you to the Council, because if a wrong doer is not going to be punished and he can go on pocketing money after money corrupting the whole administration, the administration cannot improve.

Khan Bahadur Shaikh Din Muhammad : Is the honourable member permitted to make mis-statements? I never objected to the incidence of surcharge. I only objected to the agency and the method of realising it.

Mr. Nanak Chand Pandit : I have not given way. If the principle of surcharge is accepted, then the only question remains how the clause is to be improved and this can be done only by means of amendments; it cannot be done in any other way. Therefore they have given up their whole case when they oppose the Bill wholesale and oppose the motion that the Bill be taken into consideration. The principle, I am glad to find, is accepted even by Mr. Din Muhammad. Then there is the other question raised by my honourable friend, Mr. Din Muhammad, that is, that the power of punishing the municipal servants should not be vested in the central government. If the municipal committee does not take an offender to task and the central government or the provincial government intervenes at that point, my honourable friend says, why should you assume that the municipal committee will not punish him? I have read the Bill. It is this wise. Mr. Din Muhammad ought to know, and I believe he does know that whenever a question of punishment of a municipal employee comes up there begins canvassing. Members belong to this community or to that community, I know it now very well, I know it now definitely having some indirect experience (*laughter*) of this canvassing, that canvassing goes on as to punishing or not punishing a person and when sometimes an appeal is made to communal passions or communal patriotism or an appeal is made to your humanitarian impulse, what is wrongly conceived as humanitarian impulse, the municipal commissioner yields and thinks that to-morrow he will have to ask for the vote of these persons what shall he do, and the thing ends there, and people are not punished when their corruption is brought to light. Should the thing be allowed to stop there or should something else be done? Is the central Government which is charged with the responsibility of looking to the welfare of the people going to interfere or not? The Bill gives that power. I am not now saying that this word should be changed or that word is wrong. It is up to the House to make amendments so that no innocent man may suffer and that power may not be wrongly exercised. All I say is that this power should be there. We know, every citizen knows, and the tax-payer knows, that these things do happen. There must then be some remedy. It is already very late. These things should have been done long ago. The tax-payer does not care whether a person draws Rs. 800 or Rs. 500. What he wants to know is whether the road is clean or not, whether the duties entrusted to the municipal committee are being performed properly or not, whether the money which has been entrusted into the hands of the municipal commissioners is being properly utilized or not and if there is any offender the right way is to empower the local Government to interfere. Then there,

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was another important point raised by my honourable friends about the removal of members from the municipal committee. Should that power exist or not? That power exists everywhere in all important countries. Government of the day has got the right to remove members who misbehave. The only objection which I think can be raised is that this power should not be exercised arbitrarily. This power should be so controlled or used that no innocent man may be removed. There I have no difference of opinion with my honourable friend Mr. Din Muhammad.

Khan Bahadur Shaikh Din Muhammad : I never objected to that power being there.

Mr. Nanak Chand Pandit : Then the honourable member is supporting what I say. What is then the use of quarrelling? This power should be there, but how should it be safeguarded, how should it be exercised, these are matters of detail into which my honourable friends should go if they do not walk out as suggested by my honourable friend here. These are the various points that I wished to touch, perhaps there might be one or two other matters. These are the important points which I have noted down and which have been brought out by speaker after speaker against the provisions of the Bill. These are matters which must be, according to them circulated for eliciting public opinion thereon. Public opinion is already there. I submit we need not go to public opinion for matters of this kind. Public opinion has been crying, it has cried itself hoarse. People have been paying taxes but they have not been listened to. Now they say that something must be done to improve the sanitation of our towns and of our cities and the powers which already exist and which are given to the municipal committees must be exercised. It is not true that these powers are being taken away from the municipal committees. All that is being done is that if a municipal committee does not exercise that power somebody else must do so and the people must not be allowed to suffer. I, therefore fail to understand the opposition that has been made to this Bill and the effort made to throw out this Bill at this very late stage. I do not think there is any other thing to which I could refer excepting one or two things more in the nature of certain criticisms levelled against the members of this party and so on. It has been said that we are dumb mummies and that we have sold our conscience to the Minister or to the Government. That is not the case.

Mr. President : I will request the honourable member to ignore all personal attacks.

Mr. Nanak Chand Pandit : It is not a personal matter. It is a charge against my party. I would like to give an assurance that we are prepared to support them if a case is made out for a reasonable amendment or for an amendment which gives safety to the people for whose benefit the Bill is brought forward. I ask them to ponder over these things and to see whether it is better that this Bill be passed to improve municipal administration or to oppose it without reason or rhyme.

Khan Bahadur Shaikh Din Muhammad (East and West Central Towns, Muhammadan, Urban): I am extremely grateful to you, Sir, for your very kindly allowing me an opportunity to support the amendment.

The House was already indulgent enough for an hour or so to hear me on the Bill in general and I would now in obedience to your commands confine myself only to those reasons which justify the recirculation of the Bill for eliciting public opinion thereon.

The House is aware that when the first amendment Bill was circulated, the constitution of India was in a melting pot. We were not then aware as to what the fate of provincial autonomy would be. We were not aware as to what powers would be transferred to our representatives. We were still in the dark about the result of the suggestions that were being made by different communities as to the shape our future administration should assume and in those circumstances it cannot at all be expected that the public at that time would have applied their minds to the provisions of this Bill in the light of the proposals that were going to be made afterwards for the constitution of India including the Punjab. Honourable members of this House would agree with me that in the matter of local self-government they would not like to be dealt with on a different footing from what the provincial or Indian governments are going to be. If no liberty of action, no liberty of thought, no freedom of speech, no freedom of movement was to be conceded to us in the provincial spheres of administration, the people would be quite content with the present amending Bill but if a real advance takes place in the higher spheres of administration, if we find, Sir, that in spite of the Churchillian efforts and in spite of the charges of dishonesty and inefficiency that are levelled against the Indian administrators, the British Government feels it advisable to transfer real power to the provinces themselves or to India itself, in the central sphere of administration, there would be absolutely no justification whatsoever for the provincial Government to withhold that privilege from the local bodies. I put it to the House whether this position is fair or not. You do not mean to breed slaves in the towns and then to expect them to behave like freemen in the provincial councils. Even the dishard politicians in England concede that these local bodies serve as training grounds and it is on this basis that we contend that our training grounds must at least be shaped in that manner that they may be able to give us useful training. If you do not allow us to have a free hand in the local administration, I maintain that you will not be justified in complaining if your future administrators would not come up to the mark. Now in view of these circumstances, will not the House agree with me that the people of the Punjab should be at least given one more opportunity to deliberate on the provisions of the Bill? Will I not be justified in submitting before the House that the consideration of this Bill should be postponed up to such time as the Constitution Act takes a definite shape? Will it be an unreasonable request on the part of the opposition if they contend that so long as the Constitution Act is not introduced, no municipal Bill should be passed? We want the local administration to be consistent with the provincial administration and when we are not yet in a position to envisage what the provincial administration would be we are perfectly justified in asking the Honourable Minister for Local Self-Government not to rush through this measure. This is one of the main reasons which the opposition is advancing in support of this amendment.

Another point which is worth consideration and which has been briefly discussed in a different form is the question of the Local Self-Government

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Board or the Local Self-Government Inspectorate. The honourable member for the European constituency has merely referred to the incidence of taxation that it would involve but I would look at the question before the House from a different point of view. You have been pleased to insert more than a dozen sections in this amending Bill which provide for the control of the municipalities. You are also in this measure envisaging a Local Self-Government Inspectorate which would supervise, assist or advise the Local Government in municipal matters.

The Local Self-Government Board would be a very expensive luxury. But if it does come into existence, then where will be the necessity of duplicating this control? If you are actually going to set up a Local Self-Government Board or an Inspectorate, then why should you perpetuate the control of the commissioners and deputy commissioners and extra assistant commissioners on the local bodies? Why should there be a clash or overlapping of these powers that you propose to vest in the Inspectorate or the Local Self-Government Board and the controlling authorities who have been defined as extra assistant commissioners, deputy commissioners and commissioners? When the previous amending Bill was circulated there was absolutely no reference whatsoever to this inspectorate or the board. Is not the public, therefore, entitled in view of the changed circumstances to express its opinion as to whether it would now agree to the control which is being vested in the commissioners, deputy commissioners and extra assistant commissioners? There may have been persons of the conservative trend of mind who might have willingly agreed to that proposition then and might not have objected to the above-mentioned sections on that ground. But now seeing that the Government does seriously intend to set up a board to which would be entrusted the work of advising, assisting and supervising the municipalities they might feel fully justified in submitting before the House that they do not agree to the provisions of control which are contained in sections 281, 282, 284, 285 and some other cognate sections. If on this ground we support the amendment, if most sincerely and most seriously we urge before the House that this Bill should not be rushed through unless and until this board is given a definite shape, allotted definite duties and the House is in a position to determine whether a separate control in the hands of executive officers would then be necessary, are we unreasonable, are we unjust, are we obstinate, are we opposing merely for the sake of opposition? I leave it to all fairminded persons to determine it for themselves. This then is my second reason for submitting that this Bill should be recirculated for eliciting public opinion thereon.

There are other reasons too and the strongest of them all is that the public at the time this Bill was circulated first was not in a position to rightly appreciate the effect of its provisions. The House has now been able to thrash out each and every provision of the amending Bill in the best possible manner and the public now is in a position effectively to judge the validity, the utility or the necessity of these provisions. On this ground also I would urge that there is a very reasonable ground for supporting the amendment and I do so with the greatest emphasis at my command because I find that even the framers of the Bill themselves have not yet been able to fully understand the provisions which they are inflicting upon the pro-

vince. I specially refer to section 107 which is being amended and on which the honourable Secretary for Local Self-Government had the cheek enough to accuse me of ignorance. I bring it to his notice that in spite of his being an Englishman he has not been able to understand what is laid down in the provisions of that section and what the amending Bill does with those provisions. He told me that a part of the section was not being amended and that even in future the municipal committees would be fully authorized to sanction private burial grounds of the nature and the type that I suggested. I took the position that those burial grounds would not be permissible under the present amending Bill and that the municipal committees would feel a real difficulty in entertaining all those requests which would be made to them from time to time for allowing such burials or cremations when the occasions arose. The amending Bill deals with section 107. The honourable Secretary for Local Self-Government will see that the first sub-section deals with public burial grounds. The only exception that is allowed there is that so far as those private burial grounds are concerned, which are located in those public burial grounds the committee would be empowered not to insist that they should be closed. So far in regard to the old burial grounds. Then follow the amending clauses and it is clearly laid down that henceforth no private burial ground will be allowed after the commencement of the Act without the written permission of the municipal committee and to that is added a rider that no private burial ground or public burial ground will be sanctioned without the permission of the local Government. I appeal to honourable members of the House to judge whether the explanation or the interpretation put upon the clause by the honourable Secretary for Local Self-Government, who takes pride in being the author of this measure was justified or whether my criticism of it was correct. The honourable the representative of the Hindu party who has been pleased to participate in the debate to-day—

Mr. President : Will the honourable member please speak only to the amendment ?

Khan Bahadur Shaikh Din Muhammad : I have spoken only to the amendment and not one word on the general provisions of the Bill.

Mr. P. Marsden : As the honourable member has absolutely misquoted me, am I entitled to correct him ? I will read from the uncorrected official report, what I said. What I actually am reported to have said is—

The rest of what he said implied that a person cannot be buried. Supposing, he happens to die suddenly in a particular place, or supposing he happens to be a *fakir* or a *sadhu* and sentiment demands that he should be buried in that particular place, that that cannot be done without the sanction of Government. He said that worms and insects would devour that body before the sanction of Government could be obtained. The extraordinary thing is that he does not appear to have read the Municipal Act. He is referring to the amended sub-clauses of the section in question but that sub-section which empowers the committee of its own initiative to allow a burial other than in a sanctioned burial ground is still in force.

That is to say, under sub-section (4) of that section the committee is still entitled to allow anywhere the burial of any person.

Khan Bahadur Shaikh Din Muhammad : Without the sanction of the local Government ?

Mr. P. Marsden : Yes, without the sanction of the local Government, under sub-section (4).

Khan Bahadur Shaikh Din Muhammad : The section reads—

- (1) The committee may by public notice order and, if so directed by the Local Government, shall within one month of the notification of such direction be deemed to have ordered, any burial or burning ground situate within municipal limits or within one mile thereof which is certified by the Medical Officer of Health to be dangerous to the health of persons living in the neighbourhood to be closed, from a date to be specified in the notice, and shall in such case, if no suitable place for burial or burning exists within a reasonable distance, provide a fitting place for purpose.

Sub-section (2) says—

Private burial places in such burial-grounds may be excepted from the notice, subject to such conditions as the committee may impose in this behalf :

Provided that the limits of such burial-places are sufficiently defined, and that they shall only be used for the burial of members of the family of the owners thereof.

For sub-section (3) the amending Bill substitutes the following :—

- (3) No burial or burning ground, whether public or private, shall be made or formed after the commencement of this Act, except with the sanction in writing of the committee which shall not be granted unless the Medical Officer of Health has certified in writing for the information of the committee that such burial or burning ground is not prejudicial to public health.

Provided that no such burial or burning ground shall be made or formed, except with the sanction of Local Government.

Sub-section (4) is merely a penal clause. It says that any person who buries or burns without the permission of the committee shall be punished. Am I entitled to say that if the framers of the Bill themselves do not understand the implications of the provisions, has not the public a right to demand that this Bill should be re-circulated for eliciting public opinion thereon ?

It was contended by the honourable member representing the Hindu party that this Bill should be rushed through, should be at once considered, and should not be re-circulated because it was neither undemocratic in its nature nor harsh in its provisions. I would not at all refer to the introduction that he was pleased to add to his speech. I have tried to explain before the House that we are not being in any way affected communally. Our opposition to the amending Bill is based on public grounds. As was clearly explained by a member of the Unionist Party our attitude would have been altogether different had our outlook been communal on this matter. We wish to place before the House and the public at large our views in this matter and we have taken sufficient care to demonstrate that the Bill is undemocratic. It was explained to the House that the accepted definition of democracy is government of the people, by the people, for the people. We are not here to say no to it. And this is what we demand. How is the will of the people expressed in all democracies ? The will of the majority is the will of the people. The will of the minority never prevails whether that minority is made up of Jews or whether it is made up of Armenians. All democracies are lined on this principle ; all democracies exist on this basis. And if we contend that the representatives of the people are being deprived of the valuable right of administering their own municipalities on this basis, are we not justified in saying that the Bill is undemocratic on that account and that it should not be rushed through and that

the public should be given an opportunity to clearly understand the implications of its provisions ?

Sir, one thing that has not been properly understood by the honourable members who are supporting this measure is the attitude that we have adopted in connection with the provision of surcharge. We have nowhere contended that the surcharge should not be imposed. Any delinquent member who is responsible for causing any loss to the committee, should be liable under the law, and is liable in equity to make up that loss. Our complaint only is against the agency of realisation, the method of realisation and the limitation of realisation. (*An honourable member* : Put in an amendment.) It was contended that such provision existed before. We know that section 50 enacted that any person who was found responsible for the loss was liable, but the question is, what was the course suggested therein to make up the loss ? It was laid down that a suit for compensation would be brought against the offender and that he would be given full opportunity to contend his innocence. What happens here—and this also is a new provision on which the public has a right to express its opinion—what happens here is this. An executive officer passes a decree, his appeal is heard by another executive officer and then if he feels dissatisfied, a new provision has been added to enable him to run to a court of law and prove his innocence. Is not that a topsy turvy way of administering justice ? A man under the English law and under the law that has existed in India is presumed to be innocent, unless proved to be guilty, while here a member of the municipal committee would be presumed to be guilty unless he can prove his innocence in a court of law. This provision never existed in the first amending Bill ; it has been added recently and I would submit that that would be another reason why the public should be given an opportunity to express its opinion on this measure. Will the public be prepared to accept membership of the committees when such is the treatment that is meted out to them under the new legislation. Supposing a person is mulcted in Rs. 3,000 or Rs. 4,000, he shall have to run to a court of law to prove that this amount should not be realised from him.

The Honourable Dr. Gokul Chand Narang : The honourable member was wrong when he said that this provision did not exist in the original Bill.

Khan Bahadur Shaikh Din Muhammad : Sir, again I may be allowed to repeat what I said about the honourable Secretary for Local Self-Government that obstinate ignorance—

Mr. P. Marsden : May I point out that the honourable member was absolutely wrong in his interpretation, and he has used the words "cheek" and "obstinate ignorance." As I pointed out before he has made a gross error for the second time and I think he should withdraw the expression.

Mr. President : Will the honourable member please withdraw the expression ?

Khan Bahadur Shaikh Din Muhammad : Sir, I withdraw : If you look at page 2 of the report of the select committee, under item 8, where

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clause 28 is dealt with, you will be pleased to see that a second proviso has been added as follows :

Provided further that nothing in this section shall be deemed to debar the aggrieved party from seeking a remedy in a civil court against an order made under clause (1).

The Honourable Dr. Gokul Chand Narang : This alone is now added.

Khan Bahadur Shaikh Din Muhammad : That is what I am contending.

The Honourable Dr. Gokul Chand Narang : You said the whole thing was new.

Khan Bahadur Shaikh Din Muhammad : My contention was that this clause has been added and the member of a municipal committee has been forced to go to a civil court in order to prove his innocence. That was the position I was maintaining.

The Honourable Dr. Gokul Chand Narang : No, no.

Khan Bahadur Shaikh Din Muhammad : And yet the Honourable Minister said that this provision was contained in the first amending Bill.

Another point to which I would specially invite the attention of the Honourable Minister for Local Self-Government and the Secretary, Transferred Departments is the provision which is given on page 11 for the refusal of the notification of members. The Honourable Minister for Local Self-Government was not in his seat when I submitted that I invited his personal attention to this matter. I do not object to the power of removal under section 14, I do not object to section 16, but I would say why another provision should also have been introduced in this Bill in which authority is vested in the commissioner to refuse to notify any person as a member of the municipal committee before he has taken the oath and after he has been elected if the local Government for any reason which it may deem to affect the public interests may consider to be unfitted to be a member of the committee.

The Honourable Dr. Gokul Chand Narang : After he has taken the oath ?

Khan Bahadur Shaikh Din Muhammad : Yes, after he has been elected. It says —

If an election is deemed to be invalid under the provisions of sub-section (2) a fresh election shall be held ; and if an appointment is deemed to be invalid under the provisions of sub-section (2) the Local Government shall appoint another person :

Provided that the Local Government or, in the case of any municipality of the second class the commissioner with the previous sanction of the Local Government, may refuse to notify the election as member of any person who could be removed from office by the Local Government under any of the provisions of section 16, or of any person whom the Local Government for any reason which it may deem to affect the public interests may consider to be unfitted to be a member of the committee and, upon such refusal the election of such person shall be void.

The Honourable Dr. Gokul Chand Narang : After the oath ?

Khan Bahadur Shaikh Din Muhammad : If this power is to be exercised, why not exercise it at the time of nomination ?

The Honourable Dr. Gokul Chand Narang: Why not send an amendment to that effect?

Mr. President: Is that an argument for circulating the Bill?

Khan Bahadur Shaikh Din Muhammad: Yes, in this way that this provision of law has not been properly understood by the public.

The Honourable Dr. Gokul Chand Narang: It already exists in the previous Act.

Khan Bahadur Shaikh Din Muhammad: Sir, I would again submit before the House that there is absolutely nothing communal or personal in the opposition that we are putting forward. All the objections that we have been raising to this enactment have been raised on merits alone and we ask the House to give them its due consideration. With these words I submit that for the present the Bill be re-circulated for eliciting opinion thereon.

Mr. President: The question is—

That the Punjab Municipal (Amendment) Bill as reported by the select committee be circulated for eliciting opinion thereon.

The motion was lost.

Rao Bahadur Chaudhri Chhotu Ram (South-East, Rohtak, Non-Muhammadian, Rural): Sir, I am very grateful that you have been pleased to give me an opportunity to make a speech in opposition to the motion that is under discussion. I thought that such indulgence was particularly necessary in view of the fact that one of the members occupying the official benches, as well as one newspaper, made a reference to a communal turn having been given to the discussion on this Bill. I beg to repudiate that charge as strongly as I can possibly do it. There is absolutely nothing in the Bill itself which speaks of anything communal. (*Hear, hear*). There is not a single clause in the Bill which speaks either of Hindus or of Muslims or of Sikhs. There is not a single sentence in any clause of the Bill which makes it communal. The Honourable Minister who is in charge of this Bill never suggested that there was anything of a communal nature either about the Bill itself or about the motives which led to the introduction of this Bill. There was not a single member either on the opposition benches or on the Treasury Benches who claimed that he was speaking in the interests of any particular community. In view of all these things, I fail to understand why a charge should be made by any member, either official or non-official, or by any newspaper that the discussion had taken a communal turn in this House. There is no warrant, no justification, for any such charge being made. That was one brief point which I wished to make.

Then there are just two or three more points to which I should like to draw the attention of the House. The justification put forward for introducing this Bill is that municipal administration is inefficient and corrupt and there is a good deal of abuse of power on the part of municipal bodies and the presidents of municipal bodies. I beg to submit that such a plea would not justify the introduction of a measure which has the effect of taking away the limited powers which the local bodies have possessed so far. There is corruption in the Police Department; there is corruption in the Revenue Department; there is corruption in the Irrigation Department. As a matter

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of fact there is not a single department of Government in which corruption does not exist ; there is not a single department of Government in which individual Government officers do not make improper use of their powers. There is abuse of powers on the part of district magistrates. That abuse of power has been detected in many cases. Further it is also true that for every case of abuse of power detected by the High Court, there are a number of cases in which power has been abused but the abuse has not been detected. Has any proposal ever been put forward by any member of Government that those officers as a class should be deprived of the power which they possess ? No. I beg to submit that if there is an abuse of power on the part of individual members of a service or of an institution, the remedy is not to deprive the officers of that class or those institutions of the powers which they possess, but to inflict very severe punishment on individual officers or institutions or members of institutions who are found guilty of abuse of power. This is one very good and very valid argument which can be put forward in opposing the motion under discussion. My contention is that this argument fully meets and destroys the only plea that has been put forward by official benches in support of this radical measure.

Another brief reference which I wish to make will be to the results that will follow from this legislation. I will not attempt to enter into details or point out in what particular respects the Bill is faulty, and what are the particular clauses which take away certain rights which have been hitherto enjoyed by municipal bodies or by their presidents or by individual members of those bodies. I will content myself with making a brief reference to three things. All the discussion that has taken place so far shows clearly that this Bill will lead to centralisation of power instead of decentralisation which the whole province and the whole country has been advocating for 30 or 40 years. The clamour has always been that the power which is now centralised should be decentralised and local bodies should have some of the powers which are now enjoyed by the provincial Government. One effect of this Bill will be to re-centralise the power which was decentralised in the past. There can be no gain-saying that fact.

Another point is that there will be tightening of official control. The complaint so far has been that local bodies have not sufficient powers delegated to them and the powers that have been delegated to them are not being allowed to be exercised by them independently, free of control. This has been a source of great trouble and partly accounts for the mal-administration and inefficiency that are found to exist in the administration of local bodies. A third result which will flow from the proposed legislation is the curtailment of powers that are at present enjoyed by presidents or individual members of municipalities or by municipalities in their collective capacity. These three features cannot be denied by anybody.

Sir, the answer made to the argument against undue interference provided in the Bill is fallacious. It has been contended that after all the Minister for Local Self-Government will be a representative of the people and therefore, if there is interference in the affairs of local bodies no complaint should be made. We are told that while interference on the part of mere officials may be rightly resented, interference on the part of a popular minister, a chosen representative of the people, should not be objected to as inconsistent

with the principle of democracy. I beg to differ from that view and my reason is this. After all though ministers are elected members they are elected not with reference to questions which arise in local bodies but with reference to questions which arise in respect of provincial subjects. Therefore a minister will not be a popular representative in the sense that he has a right to interfere in the local affairs of municipalities or district boards, and if a minister for local self-government takes it into his head to poke in his nose where he has no business to poke in his nose, he will become a busy-body who cannot be tolerated and who should not be tolerated. If a lambardar of the village came to my house and said that he as a representative of the village community had a right to tell me that I was not managing my household affairs properly, that I was inefficient, that I was not looking after the health of my children properly, that I was not maintaining sanitary conditions inside my house or in front of my house and that he would, therefore, manage my house for me, do you know what I would do? I will collar him and hurl him out of my house into the street, and if he still persisted in being officious I would kick him and kick him and kick him until he realised what he was talking about. He has absolutely no business to interfere in the household affairs of any person. (*The Honourable Dr. Gokul Chand Narang*: False analogy.) Prove it to be false when you make your speech. After all, what is the spirit of this Bill? The same as that of our rulers. The English people say "we are better rulers, we are better administrators; we have long experience of self-government. You are inefficient; you do not know how to manage your affairs; you fight among yourselves like killkenny cats; Hindus cannot tolerate Muslims; Muslims cannot tolerate Sikhs and Sikhs cannot tolerate either, and, therefore, we have a right to look after Indian affairs." Indians have never accepted the soundness of that argument. They say, good government is no substitute for self-government. In the same strain we can say that the central government should not interfere in provincial matters, and on the same analogy local bodies have a perfect right to say that the provincial government should not interfere in their local affairs. Therefore the argument that the Minister for Local Self-Government being a popular minister, a true representative of the democracy of the province, no interference on his part should be regarded as intolerable, does not go far.

Some of the arguments that can be put forward in opposition to this Bill have already been put forward by several speakers. I have no desire to take the time of the House in repeating those arguments, particularly in view of the fact that you were pleased to give me a few minutes as a special indulgence. I would not take advantage of that indulgence to the extent that I should inflict a speech longer than is absolutely necessary. Still I should like briefly to refer to one or two points more. After all the spirit of the times demands that we should move forwards, not backwards. We have been incessantly clamouring that a step forward should be taken in the central sphere as well as in the provincial sphere. In these circumstances, is it an unreasonable demand on the part of this House if they insist that in the sphere of local self-government there should be no retrograde step? After all, this Bill is definitely retrograde; it is unmistakably reactionary, and if any section of this House is opposed to the Bill on the ground that it is a retrograde measure, it means a step backward instead of a step forward.

[B. B. Ch. Chhotu Ram.]

I think that opposition is perfectly sound, perfectly legitimate and should carry weight with even the official benches. When an appeal is made that this Bill should be considered clause by clause on its own merits, we have absolutely no objection to that proposition. But when there is a perfectly good case against the Bill as a whole and when we are convinced that whatever the nature of the opposition, whatever the arguments that may be put forward from this section of the House or from that section of the House, they will not carry any weight with the Government (*The Honourable Dr. Gokul Chand Narang* : Why not), then a very delicate position arises. Ordinarily people begin to despair of making any impression whatever on the solid phalanx of official members when once their attitude is determined. We know it is not any inner strength in the Minister himself which leads him to proceed with the Bill so persistently, we know that it is not any extraordinary zeal inspired by the soundness of the provisions of the Bill which is impelling him to persist in the course he has been pursuing for some time. If that strength, the strength of official bloc, is taken away he will at once come round. He knows those 26 members are always with him and therefore, he thinks that by the addition of half a dozen members from among those who have been mute for some time he can easily carry the Bill through. He seems to have made it a point of honour to carry this Bill through.

Mr. Nanak Chand Pandit : Is that not imputing motives ?

Mr. President : The honourable member should not impute motives.

Rao Bahadur Chaudhri Chhotu Ram : I was referring to his real source of strength. If he had known that he could derive no strength from official members, and could depend only on the elected sections of the House he would have thought twice before he introduced the Bill or declared his intention to proceed with the Bill in spite of the unanimous opposition on the part of the largest party of the House. There is a moral even in this to the occupants of those benches. After all it is a measure which affects the transferred departments and not the reserved departments. Will it be right, will it be expedient, will it really be in consonance with the spirit of the constitution that official members should lend their support to a legislation which relates to the transferred field and which is so purely and obviously retrograde. The Press has not supported it, the public has not supported it.

The Honourable Dr. Gokul Chand Narang : Who said so ? Hold a rate payers' meeting and find out.

Rao Bahadur Chaudhri Chhotu Ram : Only three days ago the *Tribune* said that it wholly disapproved of the provisions of the Bill.

The Honourable Dr. Gokul Chand Narang : And yet it said that the Bill was absolutely necessary.

Rao Bahadur Chaudhri Chhotu Ram : The Honourable Minister will have a chance to make out his case when his turn comes.

Mr. President : A member is in order in correcting another as soon as a misstatement is made.

Rao Bahadur Chaudhri Chhotu Ram : So far as my reference to the words of the *Tribune* is concerned, that it disapproves of this Bill, it is perfectly correct ; I remember the exact words.

The Honourable Dr. Gokul Chand Narang : And what I state is also exactly correct.

Mr. President : There is a distinction between a correction and an interruption.

Rao Bahadur Chaudhri Chhotu Ram : Then I read in the *Milap* of to-day that a certain section of the House, rather two sections of the House, were being asked to lend their support to this measure not because of their belief in the soundness of the provisions of this Bill but because of the pressure of their respective Ministers in the cabinet. The exact words are—

باتن ناہوہندہ مندر کئے جا رہے ہیں

Am I to understand that the Press is on the side of this measure? *Milap* is a paper which is given to propagating views held by the Honourable Minister and his party and not those held by myself or my party.

The Honourable Dr. Gokul Chand Narang : Who is the writer of that note?

Rao Bahadur Chaudhri Chhotu Ram : Some one in your confidence not mine (*laughter*). Then the Minister came down to Lahore and held a conference of the presidents of a number of important municipal committees. What was the upshot of that conference. The presidents of those municipalities almost unanimously disapproved of the provisions of the Bill.

Shaikh Muhammad Sadiq : He says they are corrupt.

The Honourable Dr. Gokul Chand Narang : The reason has been explained.

Rao Bahadur Chaudhri Chhotu Ram : The public, I say, is opposed to it, the Press is opposed to it, the conference of the presidents of municipal committees was opposed to it, and, at least, one section of this House is definitely opposed to it. Is it right, is it sound, is it expedient to proceed in these circumstances with this Bill depending only on the support of official benches? Let these official benches be eliminated and let us then see where the Minister will be and whether he will have the courage to proceed with this Bill. (*Opposition cheers*). Is it right for the occupants of official benches to lend their support to a measure which is disliked by the largest party in this House, which is not blessed by any section of the public, which is not blessed by any section of the press, and which was definitely condemned by a conference of the presidents of important municipal committees? (*Opposition cheers*). I will submit that such support is an abuse of power on the part of those who happen to be in power. An advantage which has been afforded by an anomalous constitution of this House should not be used in a manner which is perfectly opposed to the wishes of the province. But as the attitude of the official *bloc* is well-known it should not surprise anybody if the majority party acted as it proposes to act. We have no hope that official benches will not vote solidly for the Minister and it is only natural, in the circumstances, that we should feel despondent and that we should despair of making any impression on the minds of the official benches. Under the circumstances the best course that our party can take is to withdraw and allow the responsibility, entire and complete, for the passing of this Bill to rest either on the Minister and his half a dozen mute supporters.

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or on the official benches. This is the decision of my party. It would be binding only on elected members. Nominated members will be free to stay behind. We are taking this course not in anger so much as in sorrow and despair. We will depart from here. That will secure the passage of this Bill in a shorter time and with greater ease than would have been possible if my party had sat on to explain their view on the merits of individual clauses. (*Opposition cheers*).

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) : I shall try to speak sense and only sense and not take the House—

Khan Bahadur Shaikh Din Muhammad : Is the honourable member in order in saying that ?

Shaikh Muhammad Sadiq : He is only trying to speak sense.

Rao Bahadur Chaudhri Chhotu Ram : I am sure he will not succeed.

Pir Akbar Ali : Does the Honourable Minister mean to imply that others have not been talking sense and he is the only man going to talk sense ? We have a right to know that.

Mr. President : I hope the Honourable Minister will explain.

The Honourable Dr. Gokul Chand Narang : It is necessary to give a brief history of this measure. The Punjab Municipal Amendment Bill was first introduced in the Legislative Council, as the honourable members of this House know on the 30th of November 1931. Then it was circulated for eliciting public opinion and it was on the 25th of February 1932, that it was referred to a select committee which consisted of as many as 21 honourable members of this House. Now this select committee also included the honourable Leader of the Opposition who owing to other more pressing engagements was not able to sit on the select committee for perhaps more than a day or so. This select committee sat from the 26th February 1932 to the 11th April 1932 and held as many as 22 meetings in considering the various clauses of this Bill. I am referring to this incident simply to show that the complaint which was made by the honourable member from Sargodha and also by some honourable members who supported the circulation motion that the members had not had sufficient time to consider it was not well founded at all. The select committee reported and its report was presented to this honourable House on the 28th April 1932, but owing to a technical objection it was thrown out by you. On the 10th of May 1932 another Bill was introduced in this House which, however, contained very slight modifications and was in essence and in the main a similar Bill to that which had been introduced in November 1931. On the same date it was referred to a select committee which according to a resolution of this House consisted of 14 members. There were four members of the Unionist Party on this select committee but the Leader of the Opposition announced that the members of his party would not sit on the select committee for certain reason that he referred to on that day. However, although two of his colleagues did not sit on the select committee one was prepared to sit and was prevented only because he had to leave India for England for benefit of health and the fourth member did take part in the deliberations of the select committee.

Khan Bahadur Mian Mushtaq Ahmad Gurmani : I sit on the select committee as a nominated member and not as member of the Unionist Party. (*Opposition cheers*).

The Honourable Dr. Gokul Chand Narang : At that time he was declared to be a member of the National Unionist Party and I believe he is a member of the Unionist Party though he may not have sat upon the committee as a member of the Unionist Party. That is a distinction which appears to me to be without a difference and is not intelligible to me. However, I am grateful to this member that in spite of the embargo of his party he lent us his support. This report was presented to this House on the 22nd of November 1932. I must reply to one criticism that I must be mulcted with the cost which the Government had to incur in summoning the members of the select committee to Simla in September although the Bill was not to be presented to this House until this session. The reasons are well-known to some of the honourable members of this House. The Bill had to be presented to the Council in November but owing to an express request of the Leader of the House which was made in the interests of more pressing business which according to his opinion was more urgent the Municipal Amendment Bill was not placed before the House.

The justification for summoning the members of the select committee to Simla was apparent as at that time it was not known that it would not be possible to present the Bill to this House in November. Then it was on the 30th of March last, that the present motion was moved before the House. So that if you estimate the time you will find that the Bill with the exception of one little modification has been before this honourable House for sixteen months, from the 30th of November 1931 to the 30th of March 1933 and it has covered certain portions of three years if I may so put it. It cannot, therefore, be said that either the province or this Council had not sufficient time to give a careful consideration to the Bill. Those who had to consider it did consider it and those who have not considered it will not consider it even if they are given ten years. And I am sure many members of the opposition have not considered it worth their while even to glance through the Bill. I say that without any disrespect but from my experience of the last nine or ten years of this House I know how diligently and industriously honourable members of the House take to Bills especially when the Bills happen to be long ones and when their clauses are complicated. I am, therefore, not surprised on this occasion.

Mr. President : The Honourable Minister is not right in attributing neglect of duty to an honourable member.

The Honourable Dr. Gokul Chand Narang : I already said that I did not mean any disrespect. Simply because the Bill is very long and the clauses complicated it requires a great deal of courage to face a perusal of this Bill. If my remark is taken in any personal light I shall not say it.

Then it is necessary to say a few words to show that the opposition that has been offered to the Bill is really not merited at all. It has been in fact entirely misunderstood. Simply because there are a few sections which deal with the control of Government over municipal committees an attempt has been made to show that that is the only purpose of the Bill and there is

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nothing else in it which deserves attention. I am grateful to the honourable member from Amritsar who recognised that there were provisions in the Bill which were very necessary and very useful although I did not understand his opposition even to the consideration motion. If there are useful provisions in the Bill certainly the Bill does deserve consideration and if there are any provisions which are obnoxious they could be removed by moving amendments. I can say with a clear conscience that so far as the beneficial activities of municipalities are concerned, so far as their good work is concerned so far as their capacity, their willingness to serve their towns and their constituencies is concerned, this Bill does not stand in the way of municipal committees. The only extension of control is intended to make it sure that where some municipal commissioners are rather lax in the doing of their duty or where municipal committees as such have been shown to be rather lax Government should be enabled to have a more vigilant eye on them, not only a critical eye—not to interfere with them or to hamper them in any way, for that is not the object at all—but to advise them, to help them in laying out parks and gardens, to draw their attention to the growing needs of each town, to the amenities of the townspeople in matters of sanitation and water-supply and such other things. Look at the crowded mohallas and suburbs which have risen in Lahore during the last few years without any plan! It is surprising that not a word has been said by any member of the opposition with respect to those most essential and useful provisions which have been embodied in the Bill which if acted upon by the municipal committees of Lahore and other towns would make the towns worth living in. There would be some system in the growth of suburbs in various towns. There are then provisions for the lay out of plans of buildings and it has been insisted upon in this Bill that municipal committees should be very strict in allowing the mohallas and suburbs to spring up pell mell without any design, without any plan. It is really surprising that nobody has paid any attention to this but a section 35 here, a section 50 there and other little things has been taken as fit for criticism.

Mr. President : The Honourable Minister may refer to all such provisions.

The Honourable Dr. Gokul Chand Narang : I should be glad to show honourable members—for I am afraid their time for walking out of the House is drawing near—the frame work of the Bill. For their benefit I shall point out that there are altogether 108 clauses in the Bill including the 13 clauses of the last chapter, chapter XIV. And 108 is the most sacred number, probably that is the number of the beads of the rosaries. You will find that leaving the first clause which deals with the short title and commencement, the second contains a mere verbal change. The third deals with definitions. Fourth is only a formal change. Clauses 5 to 9 deal with the constitution of committees, the election of president and vice-president, their resignation, etc. Clause 10 deals with the qualifications for election and appointment. Clauses 11 to 13 relate to the business of committees and we have received a number of amendments on these clauses. Clauses 14 to 16 deal with the delegation of powers by local Government to committees' officers and by committees to their president, vice-president or secretary and the extraordinary powers of the president and vice-president in

cases of emergency. Clauses 17 to 21 deal with the officers and servants of committees. Clause 22 deals with contracts given by committees and clause 23 with the privileges and liabilities of members. Clauses 24 to 28 deal with the municipal fund and property, its application, custody, investment, management, etc. Clauses 29 to 33 deal with taxation by committees, the imposition, collection, distribution and appeals, etc. Clause 34 deals with water-supply and then there are a group of clauses, clause 35 to 70, a group of 36 clauses dealing with powers of committees for sanitary and other purposes. You will see that 36 clauses out of a Bill containing on the whole 108 clauses deal with these powers. One-third of the Bill is devoted to the powers of committees for sanitary and other purposes, e.g., burial and burning grounds, dangerous buildings and structures, unhealthy habitations, the carrying on of noisy trades, occupations or professions, laying of pipes and sewers, the removal and disposal of rubbish, scavenging of streets, houses and buildings. Clauses 71 to 81, a group of ten clauses deal with the powers of municipal committees to frame bye-laws for various purposes. Clauses 82 and 83 deal with committee's powers of entry and inspection of buildings, places for illicit slaughter of animals and so on. While on this point I must say a word with respect to the honourable the opposition leader's treatment of a hypothetical lambardar who attempted to pry into his private affairs. He overlooks, probably because he deals more with district boards than with municipalities, that under the existing Act there is the power given to municipal officers of entry and inspection and of compelling the citizens to carry out various things. I may submit that there is really a great confusion in the minds of honourable members with respect to liberty. Liberty is a thing for which man should live and man should die and sacrifice all that is precious to him. Honourable members cannot beat me in my love of liberty and it is really surprising that gentlemen whose whole lives have been spent in occupations and pursuits entirely different from mine, whose past careers have been different from mine, should come now to teach me lessons on democracy, on liberty and so on. It should be understood that so far as your individual occupations and individual affairs are concerned you have perfect liberty but where your occupations and pursuits impinge upon the liberties and rights of others your liberty must be curtailed. That is the A. B. C. of civilization, the elementary principle of civilised society. I give you one example. If Chaudhri Sahib owns a house and says, this is my house, and every day sits in the open excuse me for saying this, to answer the calls of nature and refuses to allow any sort of check saying, this is my house and I can deal with it in whatever way I like, is this the liberty that he means? Will he prevent the municipal sanitary inspector from coming into his house on the ground that the house is his and that as in England every man's house is his castle and ask the sanitary inspector, who are you to come into my house and interfere? There he will be exhibiting an utter lack of understanding of the true meaning of liberty. When I do something in my house and let off smoke, let off foul gas, or follow an obnoxious trade, I cannot say, this is my house, I can do whatever I like with my own things. Certainly not. Because your liberty if allowed to be exercised in this manner interferes with the liberty of others it must be curtailed, it must be disciplined. Rules and regulations must be framed so that your liberty does not run riot and does not degenerate into a licence and does not interfere with the rights and

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comforts of your neighbours. This is the basis of all municipal law and this is the basis of all civilised society. And it is surprising that honourable members of this House should see in these few comparatively innocent provisions of this Bill an attack on the rights and liberties of local bodies. If you have to look to the liberty, rights and privileges of municipal committees, please do not forget that those municipal committees are the trustees of a larger number of people. There are millions whose affairs are controlled by 106 municipalities in the whole of the province, of larger and smaller sizes. Go and ask them; Chaudhri Chhotu Ram kicked a lambardar who pried into his affairs, into his house; the municipal commissioners would similarly kick if there is any interference and yet would keep the roads dirty, would allow infectious diseases unchecked, would not prevent smallpox, cholera, malaria and other diseases by improved sanitation and would allow the cities to remain filthy because they are the municipal commissioners. I say they have then failed to do their duty and the people may kick them until they are brought to their senses. (*An honourable member*: What about executive officers? Have they improved things?) The appointment of executive officers was a step in that direction. This is not the place to deal with executive officers nor would I be side-tracked. But this I can say that executive officers are also human beings. But within the little time they have been in existence they have certainly shown a distinct improvement in the affairs of municipal committees. Wherever they have been appointed people do really feel and realise that plans are sanctioned more quickly, roads are being improved, sanitation is undergoing a change for the better. Do you want executive officers to show themselves to be superhuman or angels or gods that they could transform the whole city as if with a magic wand? They do not possess an Alladan's lamp that they could give you palaces in no time. Their appointment is a step in that direction.

To come back to the sections. The sections that follow section 81 deal with the committee's powers of entry and inspection. Clauses 84 and 85 provide for appeals from orders of committees. Clauses 86 and 87 deal with offences under the Municipal Act. The last portion deals with the control of Government and its officers over committees, the power of local Government to supersede committees, to frame bye-laws and make rules. Now here is the honourable Leader of the Opposition. He at one time occupied the seat which I occupy now. He found that one of the committees which has the honour of being presided over by one of my critics, Mr. Eusoof Shah from Ludhiana, was not behaving well and my honourable friend went down to Ludhiana and found that the reports that he had received were correct and with one stroke of the pen he superseded the committee. Why should he interfere with the liberty of the people of Ludhiana? Were they children? Were they boobies, were they lunatics? Did they not know how to look after their affairs? If they had treated my honourable friend as he would treat the lambardar who pried into his house, how would he have felt at that time? I am sure he would not have found it very pleasant.

Then, Sir, at the end we find clause 94 is only formal and clause 95 imports a new chapter, chapter XIV, which only transposes from the Municipal Election Rules a number of rules dealing with election matters.

I ask these honourable gentlemen whether out of 108 sections they can point out half a dozen which can be reasonably objected to. Let us consider their opposition to the various sections on which they have spent so much force and wasted so much eloquence, and see whether that criticism was well founded.

A number of honourable members of the opposite benches spoke on the present motion. Some of them were presidents but I would not impute motives to them at all. If anybody interfered with the power that I exercise at present I would not like it either. The same will dispose of the contention of a dozen presidents who were called and met in this room to discuss the various provisions of the Bill. I was not surprised and I would take this opportunity to declare that I was extremely disappointed with their attitude. I knew that they would oppose me and knowing that I invited them, because I thought they were presidents of so many municipalities and that they might make some valuable suggestions and all that they did do was to sign a sheet of paper saying that they objected to this section and that section, and handed the paper to me. There was not one constructive suggestion made by a dozen presidents who assembled here and I was extremely disappointed to find that local self-government in the Punjab as represented by these gentlemen really left much to be desired.

Then my honourable friend who is very vociferous now got up. He confessed that he knew nothing of municipalities and he got up simply to return to the attack that I was here to undermine the prestige and the power of Government and that I was bringing forward this Bill so that it may create agitation and terrorists may crop up to overthrow the Government.

I am glad that Mr. Owen Roberts is here and I should like to say that his criticism of the measure does not indicate that there should be no control. I have in fact information in my possession from which I could convince him that it was impossible for him to raise any objections to the various provisions of the Bill. His objection really is that the Bill does not go far enough. He asked, why did you not bring forward entirely a new Bill, because the present amending Bill does not meet the requirements of the case? My reply is that out of 240 sections of the Municipal Act we have amended as many as 95. In the case of the remaining sections no amendment was considered necessary by us, but if he reads the old sections in the old volume and the new sections in the new volume, he will have a new Act. If that does not satisfy him, he is welcome to bring forward another amending Bill. If it appeals to the House, it will be passed and his object would be achieved. I need not go into matters of detail because I am in a hurry to finish my remarks.

Then came the gentleman from Sargodha. I very much regret that he is not here. He was so incensed at the Bill that he suggested that it should be thrown into the waste paper basket and then cremated along with it. When I asked him if he had read it, he was silent. I give him credit because as a truthful man he could only keep quiet. I give him credit for that and if other gentlemen had followed his example, it would probably have been much better.

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I come now to Mr. Sadiq. He is an excellent man and he gave vent to his feelings. He said that some of the parts of the Bill were good and that other parts were not. When I asked him to send in amendments he said that he could not frame any amendments. But I should not refer to this private conversation. The fact remains that he has not sent any amendments, unless it was decided from the beginning that a walk-out was to be planned and no amendments were to be considered at all.

I do not want to say anything about Chaudhri Riasat Ali or Chaudhri Allah Dad Khan's remarks. Chaudhri Riasat Ali carried out the wishes of the party in moving his motion and he did his duty just as I am doing mine. As for Chaudhri Allah Dad Khan, he has himself given a sufficient reply to his criticism in his own speech, and I need not say anything, but people who know the Municipal Act and have heard his speech could themselves judge what substance there was in it!

As regards definite criticism, I must pay my compliments to my friend from Gujranwala because it was Gujranwala that carried the palm. It is true that he made a good deal of destructive criticism, but in his criticism my friend Shaikh Din Muhammad at least showed that he had gone through the Bill though perhaps not for the occasion but at some earlier time because he seemed to have forgotten many things. There has been a talk about section 85 also. I have got a statement here giving the corresponding provisions in the Acts of other provinces where there are similar provisions, but I need not take the time of the House in reading them out. But I would refer my honourable friend to this little text book on the Principles of Local Government Law by W. Iver Jennings. It will really show my learned friend that there is absolutely nothing out of the way or in any way reactionary that we have imported into this Bill of ours. England is our political Mecca, and we look to England for guidance. (*An honourable member*: Since when?) You have been doing it all the time. I have only made one *haj* to that place, there are others here who have made more, though I should certainly like to have another! But in this most advanced and most civilised country to which we look for enlightenment, take it from me that control over local bodies is far more strict than this Bill has provided for. And shall I tell you what the effect is? The result is that local bodies in England, as Mr. Owen Roberts' recent visit to England must have shown him, are administered far more efficiently than are our local bodies in this country. The reason is that there is more control; there is more vigilance. As was pointed out it is not desirable that you should have small city states. If Lahore can claim to be independent of the local Government, why not Amritsar? And if Amritsar, why not Mian Channu or some other village? It is really more surprising, as was pointed out by the Secretary, Transferred Departments, so clearly, that in the Panchayat Act the provision which corresponds to the provision in clause 23 of this Bill is far more stringent and my honourable friend from Gujranwala would see that that Act, if any, lays down that people would be held to be guilty before they are called upon to prove their innocence! There the thing was provided for twelve years before this Bill was brought to this Council and by a minister who commands and rightly commands the respect of all sections of this House and even outside this House, and it is surprising that the same provision should be objected

to in this Bill. I hope the gentlemen from the countryside understand what I am saying. Some of them perhaps do not know fully why these rural gentlemen who stand up for the rights of the rural party and rural population should be so anxious about the rights and privileges of the city people. They have never shown any solicitude up to this time for townspeople and they have now suddenly become great lovers of the urban population. There must be something at the back of it. (*An honourable member* : They are going to be the future administrators of the province).

As regards section 35, I fail to understand, why if the honourable members do not want the Government to be autocratic and to interfere with the liberties of the municipalities, why they are so anxious to make presidents autocratic. Here is a president sitting before me. He does not want that an iota of the power which he exercises under the present section 35 or the newly elected president from Ludhiana that an iota of power that he exercises under the present section 35 should be taken away from them. I know people will not like to be deprived of the power, but they have got to be deprived, it has to be done in the interest of the municipal committees and also in the interest of the citizens. It is really surprising that some members should not have really fully understood the importance and the utility of the amendments made in section 35. I assure the House again that if there was any doubt it would be removed by the amendment which Government is going to accept that no undue interference will be made with the power of the presidents. They will not be disabled from doing what is really necessary to be done in cases of emergency. Cases of grave public inconvenience, and danger to human life or property would justify their acting under section 35; but I must say that during the last 2½ years I have known more about presidents than a single president of a municipal committee could know and I can say that section 35 has been pressed into service for all sorts of things for which it was never intended to be used, and for that reason it was necessary that some amendments should be made in this section.

Again, a point was made that correspondence, according to this Bill, was to be addressed to the secretary and that the president was being ignored. I may explain that all letters of the Government of India to the Punjab Government are addressed to the Secretaries and none is addressed, except private letters, to the Governor. I suppose the Governor has never taken that ill. What is provided for in the Bill in this respect is only a minor matter of procedure. One person must be made responsible to keep a note of the correspondence sent out to a municipality; it is for that reason that the secretary has been mentioned so that he may be responsible. Otherwise, if the secretary is not made so responsible, he will say that the papers were with such and such a member or with the president and thus disown all responsibility. It is only with a view to fix the responsibility on him that this provision has been inserted in the Bill. There is no slight implied in the Bill to the president.

One thing seems to have troubled my friend very much. He said that Government has not left even small things, such as provision of urinals and so on. This is a very small matter no doubt, but a very important matter all the same. If you go from this chamber to the canal there is not a single W. C. on the way. If you go from here to the fort no pro-

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vision for a single urinal has been made, nor is one made from one end of Anarkali to the end of the water works. It is really disgraceful that people should claim to be civilised and yet should be forced to behave in the way they do because the municipalities are not alive to the small necessities. It is therefore absolutely necessary that Government should have the power to direct municipalities, in fact to force them to provide these little conveniences.

One thing more and I shall have finished this part of the case. The honourable member for Gujranwala said that the "new select committee," in fact he said, the Minister, has even struck out two passages from pages 15 and 16 which provision the first select committee had added. That is not the fault of the Minister. The second select committee went into the question and found that that provision was not necessary. It was found that the deletion of that provision would not interfere in any way with the members of municipal committees, because in those matters the honourable member will find, if he reads the Bill, that the very necessity for the clause has disappeared. If he has seen the Bill, I am sure he will agree with me.

Now, perhaps it would be useless to make an appeal to those honourable members opposite if they are going to stick to what has been said by the honourable Leader of the Opposition. But for the benefit of those who propose to stay I would submit that the motion before the House is not that the Bill be passed. The motion is simply that the Bill be considered. It is open to every member of this House to send in amendments—in fact we have received fifteen printed foolscap pages of amendments. Every amendment will be considered as carefully as possible. (*An honourable member*: On its merits.) Certainly. I do not want to take any further time of the House. I would only say that it would be most regrettable if this House is going to be deprived of the advice and co-operation of an important section of the Council. The honourable Leader of the Opposition made a reference to the official benches. I think he has worked with them in the administration of various things. Moreover, in the present constitution even the official benches have a position and an important one too. I may tell my honourable friend that a time would come when it would be impossible, very difficult, if not impossible, to pass any measure worth the name in this House when these official benches have disappeared. I do not mean to say that the official benches should be here for ever, but this remark of mine has been necessitated by the attack which my honourable friend made upon me and upon the official benches. We certainly must depend upon ourselves and I do not yield to any honourable member in love of democracy, but unfortunately it is not the love of democracy, it is not the anxiety for the maintenance of the prestige and the upholding of the rights and privileges of municipalities that has been at the basis of the opposition to this Bill. (*Cheers*).

Mr. President: The question is—

That the Punjab Municipal Amendment Bill as reported by the select committee be taken into consideration.

The motion was carried.

PREAMBLE.

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

That the preamble stand part of the Bill.

The motion was carried.

CLAUSE 1, SUB-CLAUSE (2).

Mr. Labh Singh : Before proceeding further, may I make a suggestion? Some of the amendments stand in the names of members who have since left the chamber. I intended and some other honourable members also intended to support a few of those amendments. Now that they have left the Council, will you permit us to move such of the amendments as we intended to support? Some of them are only verbal and technical, and need no notice.

Mr. President : Amendments to Bills can be moved only by members who have given notice of them. The question is—

That sub-clause (2) of clause 1 stand part of the Bill.

The motion was carried.

CLAUSE 2.

Mr. President : The question is—

That clause 2 stand part of the Bill.

The motion was carried.

CLAUSE 3.

Mr. E. Mayadas (Non-official, nominated) : Sir, I beg to move—

That at the end of sub-section 4(a) of clause 3 the following shall be added as a proviso :—

“ Provided that no official shall be so appointed unless he has for three years exercised the powers of a magistrate of the first class.”

The object of this amendment is to secure that the officer who may be appointed to perform these duties should be one of ripe experience.

Mr. President : Clause under consideration, amendment moved—

That at the end of sub-section 4(a) of clause 3 the following shall be added as a proviso :—

“ Provided that no official shall be so appointed unless he has for three years exercised the powers of a magistrate of the first class.”

The Honourable Dr. Gokul Chand Narang : I accept the amendment.

Mr. President : The question is—

That at the end of sub-section 4(a) of clause 3 the following shall be added as a proviso—

“ Provided that no official shall be so appointed unless he has for three years exercised the powers of a magistrate of the first class.”

The motion was carried.

Lala Labh Chand Mehra (Non-official, nominated): I beg to move—

That at the end of sub-section 4(b) of clause 3 the following shall be added as a proviso :—

“ Provided that no official shall be so appointed unless he has for five years exercised the powers of a magistrate of the first class.”

I submit that this amendment is as necessary as the amendment which the House has just adopted. The same argument applies in this case as in the previous case. The only difference between this amendment and the former one is that in this case the officer must have exercised the powers of a magistrate for a longer period, that is, five years.

Mr. President : Clause under consideration, amendment moved—

That at the end of sub-section 4(b) of clause 3 the following shall be added as a proviso :—

“ Provided that no official shall be so appointed unless he has for five years exercised the powers of a magistrate of the first class.”

The Honourable Dr. Gokul Chand Narang : I accept this amendment also.

Mr. President : The question is—

That at the end of sub-section 4(b) of clause 3 the following shall be added as a proviso :—

“ Provided that no official shall be so appointed unless he has for five years exercised the powers of a magistrate of the first class.”

The motion was carried.

The Honourable Dr. Gokul Chand Narang : I beg to move—

That in clause 13(b) (ii) of section 3 of the Punjab Municipal Act, substituted by clause 3(iv) of the Punjab Municipal (Amendment) Bill, the word ‘municipal’ be omitted.

The motion was carried.

Mr. President : The question is—

That clause 3 as amended stand part of the Bill.

The motion was carried.

CLAUSE 4.

Mr. President : The question is—

That clause 4 stand part of the Bill.

The motion was carried.

CLAUSE 5.

Lala Labh Chand Mehra : Sir, I beg to move—

Mr. President : The honourable member’s amendment¹ is an amendment to the Principal Act and not to any clause of the Bill ; hence it is out of order.

Mr. S. L. Sale : It is a consequential amendment.

¹That in sub-section(3) of section 13 of the Punjab Municipal Act, 1911, for the words “the election or appointment of his successor is notified” occurring after the word “until” the following words shall be substituted :—

“ His successor has taken the oath or made the affirmation required by section 24.”

Mr. President : If it is a consequential amendment, it ought to have been included in the Bill. What is now under consideration is the Bill as reported by the select committee. The Principal Act is not under consideration.

The question is—

That clause 5 stand part of the Bill.

The motion was carried.

CLAUSE 6.

Kanwar Mamraj Singh Chohan : I have just now tabled an amendment.

Mr. President : I cannot allow amendments not tabled in time.

Kanwar Mamraj Singh Chohan : The position has been made awkward by the walk out of some honourable members.

Mr. President : Even if there was no walk out, the honourable members who had tabled amendments may not have moved them.

Mr. E. Mayadas : Sir, I beg to move—

That in clause 6 the words " and the Local Government may accept or refuse to accept such resignation " shall be omitted.

The Honourable Dr. Gokul Chand Narang : I accept the amendment.

The motion was carried.

The Honourable Dr. Gokul Chand Narang : Sir, I beg to move—

That in section 15 substituted by clause 6 of the Punjab Municipal (Amendment) Bill for the word "later" the word "more" be substituted.

This is more or less a drafting amendment.

The motion was carried.

Mr. President : In view of this amendment, Mr. Mayadas may move his amendment in a slightly modified form.

Mr. E. Mayadas : Sir, I beg to move—

That in clause 6 the figure "60" be substituted for the figure "90."

The motion was carried.

Mr. President : This means that the amendment affects only line 10 of the new section 15. The figure "90" in the proviso stands as it is.

The Honourable Dr. Gokul Chand Narang : I claim your indulgence to move an amendment to that also.

Mr. President : If I show indulgence in one case I shall have to show it in other cases too.

The Honourable Dr. Gokul Chand Narang : This is more or less a consequential amendment and nobody is objecting to it.

Mr. President : If I allow the Honourable Minister to move his amendment many others will claim the same indulgence.

The question is—

That clause 6 up to the first proviso, as amended, stand part of the clause.

The motion was carried.

Mr. President : The question is—

That the first proviso do stand part of the clause.

The motion was carried.

Mr. Owen Roberts : I wish to move formally—

That the second proviso to clause 6 be omitted.

I can see no reason why a man should be kept in the air for 90 days of the off chance of publication to be made by the Government. In view on the amendment already passed changing 90 days into 60 days, surely Government can make up its mind whether a man can remain a member or not within 60 days.

The Honourable Dr. Gokul Chand Narang : Can the honourable member oppose a part of a clause? That is the point, and that without any amendment. He might have moved an amendment that proviso 2 be omitted.

Mr. President : The omission of a clause or a sub-clause is not an amendment. It is only a negative of the clause or the sub-clause. I am, therefore, putting the clause in parts so that if anybody wishes to oppose any particular part of a clause, he may be able to do so.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Does even a portion of a sub-clause come under your ruling?

Mr. President : No. But generally speaking each proviso is a sub-clause by itself. So, if I put a clause or a part of a clause separately, those who are against its standing part of the Bill, may vote against it.

The Honourable Dr. Gokul Chand Narang : I agree with Mr. Owen Roberts. The proviso may be deleted.

Mr. President : The question is—

That the second proviso to clause 6 stand part of the clause.

The motion was lost.

Mr. President : The question is—

That clause 6 as amended stand part of the Bill.

The motion was carried.

The Council then adjourned till 2 p.m. on Tuesday, 4th April 1933.

PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 4th April 1933.

THE Council met at the Council Chamber at 2 p.m. of the clock. Mr. President in the chair.

UNSTARRED QUESTION AND ANSWER.

FAMINES IN HISSAR DISTRICT.

658. Mr. E. Mayadas : Will the Honourable Member for Revenue please state—

- (a) how many times during the past twenty years famines have visited the Hissar district and in what years;
- (b) what amount of land revenue was remitted on these occasions;
- (c) besides remission of land revenue in what other ways and to what extent Government or the public gave assistance to the sufferers?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Once, i.e., in 1929-30.

(b) Rs. 11,308.

(c) The honourable member's attention is invited to part II of the Supplement to the *Punjab Gazette*, dated 17th February, 1933, which gives in detail the information he asks for.

THE PUNJAB MUNICIPAL (AMENDMENT) BILL.

CLAUSE 7.

Lala Labh Chand Mehra (Nominated non-official) : Sir, I beg to move—

That in sub-section (1) (iii) of clause 7 the word "for" between the words "Crown" and "Secretary of State" shall be omitted.

The motion was carried.

Lala Labh Chand Mehra : Sir, I beg to move—

That in sub-section (1) (iii) of clause 7 the word "or" be added between the words "Crown" and "Secretary of State."

The motion was carried.

Lala Labh Chand Mehra : Sir, I beg to move—

That in sub-section (1) (iii) of clause 7 the words "action or" be added between the words "Government such" and "appearance."

The motion was carried.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government) : Sir, I beg to move—

That in sub-clause (2) of clause 7 of the Punjab Municipal (Amendment) Bill for the words "unless and until the Local Government otherwise direct" in lines 14 and 15, the words "for a period not exceeding five years" be substituted.

Mr. President : Amendment as moved makes the clause meaningless. In the clause as printed the words are "unless and until the Local Government shall otherwise direct." The word "shall" was left untouched by the amendment as tabled, and its deletion is not proposed even by the amendment as moved.

The Honourable Dr. Gokul Chand Narang : I shall be glad to make that correction now.

Mr. President : But under the Rules in force, have I the power to allow the correction at this stage ?

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) : Can somebody else move that the word "shall" be omitted.

Mr. President : How can I allow it ? I did not do so yesterday, and if I do so now, how can I justify my action ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : It is only a verbal amendment.

The Honourable Dr. Gokul Chand Narang : I was just going to say that this amendment was really put in on behalf of Government to meet the wishes of many honourable members that the rigour of section 16 should be mitigated. It was to comply with that wish of a large number of honourable members of this House that this amendment was tabled. Now accidentally this omission has been made. Do you think that this is a matter of such a great importance ?

Mr. President : I will have no objection if the House has none.

(The House agreed to this correction being made.)

The Honourable Dr. Gokul Chand Narang : As I have explained this amendment has been moved to mitigate the rigour of section 16. The present position is that if a member is disqualified and has been removed from a municipal committee he had to stay out for ever, unless and until he approached the Government for pardon and the Government was pleased to pardon him. Now this disqualification shall not extend beyond a period of five years. It would be open to Government to grant pardon before the expiry of 5 years, it may be after a few days, it may be after a few weeks or a few months or a year or two. The rigour of section 16 has thus been very much mitigated.

Mr. President : The question is—

That in sub-clause (2) of clause 7 of the Punjab Municipal (Amendment) Bill for the words "unless and until the Local Government shall otherwise direct" in lines 14 and 15 the words "for a period not exceeding five years" be substituted.

The motion was carried.

Mr. President : Question is—

That clause 7 as amended stand part of the Bill.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, Non-Muhammadan, Rural): Sir, I beg to submit that the word "negligence" occurring in this clause 7 is a very wide term which can be interpreted in many ways and can be misapplied by Government in innumerable instances. This word should not have been included in a measure like this which gives to the Government such powers of interference here, there and everywhere. I really like the interference of the Government when there has really been a misconduct exhibited on the part of a member or of any person concerned with the municipal committees, but to be hauled up for mere negligence is really very severe. Negligence is committed in many ways. I am here in connection with the business of Council. Suppose I am also a member of a municipal committee in charge of some work. During my absence something happens in the municipal committee which, due to my presence here, I cannot attend to and loss occurs. Is it not rather hard on me that I should be made to pay for the loss that may be attributed to my negligence? I beg to submit that there are instances of abuse of power by individual persons in authority, presidents, vice-presidents or other officials of municipal committees. At the same time you can also find instances of abuse of power by members of Government and petty servants of Government even when there are officers above them. So, when the powers are to be abused by A, B, C or D, this neglect can be provided against anybody, even a *bona fide* neglect. With these words I oppose the motion.

Mr. Tek Chand (North-East Towns, Non-Muhammadan, Urban): Sir, I have no soft corner for any corrupt member who but for clause 7 might have committed acts which would have been detrimental to the interests of the rate-payer. Therefore, so far as the general tenor of clause 7 is concerned, I have no dispute, but I do wish to join issue on this score with the honourable members on Government side who are opposed to the deletion of the expression 'negligence.' Negligence, however gross, should not and cannot take the place of misconduct or abuse of power, and this expression, as my honourable friend who has spoken just now has said, is a very wide and elastic expression, and the expression being flexible it will be used in all sorts of manners detrimental to the interests of even those municipal commissioners who are honest but through mistake, inexperience or ignorance have committed certain acts for which they should not be penalised in the manner contemplated by the clause. It is unfortunate that the honourable member who had tabled an amendment as to the deletion of the expression 'negligence' is not here. Therefore the only course open to us on this side is to oppose the clause *in toto* because the word 'negligence' is there.

Then my submission is that this importation of the expression 'negligence' will make the operation of this clause extremely hard even on those members who try to discharge their duties in an honest manner, but perhaps not in a very efficient manner. With these words I oppose clause 7.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government): Sir, I appreciate the criticism which has been made against this part of the clause. We devoted a considerable time to the consideration of this question whether any adjective should be added to the word 'negligence' or whether 'negligence' should be altogether omitted. This question was considered at great length when the members of the Standing Committee on Local Self-Government sat to draft the Bill, and I may by

[The Hon. Dr. Gokul Chand Narang.]

the way mention that some twenty-one days were spent in the drafting of the Bill, in preparing a skeleton of the Bill with the help of the members of the Standing Committee on Local Self-Government. It was not considered advisable to leave out the word 'negligence' because that would have opened the door not only to negligence but sometimes to gross negligence, and I think any public man who takes upon himself the duty of a municipal commissioner or councillor has to pay as much attention to his duties as he possibly can. If any member of this Council is negligent in the discharge of his duty, if he does not attend when his presence is required, if he does not pay the same attention as the gravity and the importance of the question that may be entrusted to him requires, then he is guilty of a breach of trust which is reposed in him. Therefore to leave the word 'negligence' out is not advisable because negligence is more fatal than even misconduct of a certain kind, because negligence may bring about a disaster. While actual misconduct may only cause a loss of a few rupees, negligence may cause a loss of thousands. So, it was considered absolutely necessary to include the word 'negligence' in this clause. Then the question arose whether the word 'gross,' or 'serious' or 'material' should be added before the word 'negligence.' The word 'gross' was suggested, and I think some of the honourable members proposed amendments to that effect. If you suppose, for the sake of argument, that the word 'gross' were put in, then it would be an invitation to the members of the municipalities to be negligent so long as they kept on the right side of gross negligence. Then the question was what would constitute gross negligence. It is very difficult to define the word 'gross.' Would negligence be gross when a loss of Rs. 5,000 has been caused by the negligence of a member to the municipal committee or a loss of Rs. 50,000 or a loss of Rs. 1,000? What may not be considered gross negligence in the case of a big municipality like Lahore or Amritsar where the loss of Rs. 1,000 is like a flea-bite, it may ruin the finances of a small committee whose finances may not be more than a few thousand rupees altogether. Therefore, in the case of a small committee even the negligence which causes a loss of Rs. 1,000 will be gross while in the case of a big municipality it may not be considered as gross. We came to the conclusion that no adjective should be used before the word 'negligence,' and that it should be left to the good sense of the Government when to take action. When the Government thinks that negligence is of such a kind as necessitates and justifies action it will take action, otherwise it will not. If there is some negligence which is not so very material, I believe those who are going to administer this Act when it does become one when this Bill is passed, they may be trusted to administer the law in a humanitarian and just and fair and equitable and in a sympathetic spirit. Therefore the apprehensions of my honourable friend are really not well founded. They are not very serious apprehensions. They are very immaterial apprehensions, and not so very grave and serious as to justify opposition to this clause. And then again I would say simply because they have objection to one word they cannot ask for the deletion of a whole clause. If there are some honourable members who share the views of those who are unfortunately absent to-day owing to the walk-out which was in the air for months, they themselves should have tabled amendments for the insertion of the word 'gross.' Now it is too late,

and you cannot reject a whole clause simply because one word is distasteful to the two honourable members.

Mr. President : The question is—

That clause 7 as amended stand part of the Bill.

The Council divided : Ayes 90, Noes 5.

AYES.

Colonel D. P. Gail.
Mr. A. Latifi.
Mr. D. J. Boyd.
Lala Labh Chand Mehra.
Mr. E. Mayadas.
Dr. (Mrs.) M. C. Shave.
Khan Bahadur Mian Mushtaq Ahmad.
Sardar Bahadur Captain Sardar Janmeja Singh.
The Honourable Dr. Gokul Chand Narang.
The Honourable Malik Sir Firoz Khan Noon.
The Honourable Sardar Sir Jogendra Singh.
Mr. P. Marsden.
Mr. R. Sanderson.
Mr. F. H. Puckle.

Mr. B. P. Hadow.
Mr. C. N. Chandra.
The Honourable Sir Henry Craik.
The Honourable Captain Sardar Sir Sikander Hyat Khan.
Mr. J. W. Hearn.
Mr. C. C. Garbett.
Khan Sahib Shaikh Fazal Ilahi.
Mr. S. L. Sale.
Mr. Labh Singh.
Rao Bahadur Captain Rao Balbir Singh.
Rai Sahib Chaudhri Kesar Singh.
Chaudhri Nathwa Singh.
Chaudhri Bansi Lal.
Lala Ramji Dass.
Sardar Gurbachan Singh.
Sardar Bahadur Sardar Sheo Narain Singh.

NOES.

Mr. Tek Chand.
Kanwar Mamraj Singh Chohan.
Lala Chetan Anand.

Mr. Owen Roberts.
Mr. M. A. Ghani.

CLAUSE 8.

Mr. President : The question is—

That clause 8 stand part of the Bill.

The motion was carried.

CLAUSE 9.

Mr. E. Mayadas (Non-official, Nominated) : Sir, I beg to move—

That in clause 9 the proviso shall be omitted, and the following be added as a proviso :—

“ Provided that before the Local Government notifies his removal the reason for his proposed removal shall be communicated to him by means of a registered letter in which he shall be invited to tender within twenty-one days an explanation in writing, and, if no such explanation is received in the office of the Secretary, Transferred Departments, within 21 days of the despatch of the said registered letter, the Local Government may proceed to notify his removal.”

Mr. President : May I ask how long the office of the Secretary, Transferred Departments, is going to continue? Is it not likely that in the next constitution there may be no Secretary, Transferred Departments?

The Honourable Dr. Gokul Chand Narang : We can only proceed on facts as they exist at present. It is possible that in the future constitution there may be no commissioners. That does not mean that the word "commissioner" should be taken away from this Bill. There is such an officer as Secretary, Transferred Departments, at present, and as long as that officer continues there is nothing wrong in that expression remaining in the clause.

Mr. S. L. Sale (Legal Remembrancer) : May I point out that under the General Clauses Act, if any office is mentioned in a particular Act and if that office is subsequently abolished, the law is held to apply to the successors of that office, that is, to any office undertaking the duties of the office abolished.

Mr. President : The question is—

That in clause 9 the proviso shall be omitted, and the following be added as a proviso :—

"Provided that before the Local Government notifies his removal the reason for his proposed removal shall be communicated to him by means of a registered letter in which he shall be invited to tender within twenty-one days an explanation in writing, and, if no such explanation is received in the office of the Secretary, Transferred Departments, within 21 days of the despatch of the said registered letter, the Local Government may proceed to notify his removal."

The motion was carried.

Mr. President : The question is—

That clause 9 as amended stand part of the Bill.

Mr. Owen Roberts (Nominated, non-official) : Sir, I oppose the inclusion of this clause in the Bill. I would draw the attention of honourable members to the section for which it is proposed to be substituted. It is provided in the section that when a president or a vice-president resigns, certain things are to happen. It further goes on to say that these officers may be removed from office by the local government in pursuance of a resolution to that effect passed by two-thirds of the members of the committee. Now, under the clause which it is proposed to substitute a new intention is imported. Here Government goes on to say that these persons may be removed by the local Government on the ground of abuse of powers or on the ground of habitual failure to perform their duties. I submit that this importation into the Act is totally unnecessary. Government already has powers to remove a member. We dealt with that clause just now. I do not suppose that Government seriously suggests that a president or vice-president who has abused his powers or has habitually failed to discharge his duties is fit to be a member of the committee.

The only other point I will touch upon is that Government, on the face of it, feels that its position is unsound. It tries to qualify the words it has imported into the section by a proviso, and this proviso drives them into a long amendment, all of which goes to show that Government is far from feeling satisfied with the position taken up. This is one of those little

things in the Bill that have caused so much feeling. Government has already powers, and why it should take additional and uncalled for powers against the president and vice-president is not clear. I cannot understand the policy underlying this attitude, and hope the Honourable Minister will allow the law to stand as it is and will withdraw this amending clause.

The Honourable Dr. Gokul Chand Narang : A few words of explanation will perhaps be sufficient for the honourable member to appreciate the position. We had to deal with several presidents, and we did not know how to deal with them and how to bring them to book, except by removing them absolutely from membership. We could not find any provision in the existing Act to remove the president or vice-president from office without removing him from membership of the committee. Mr. Owen Roberts has argued that there is already a provision for the removal of a member. We want a similar punishment, if that can be called punishment, to be provided for, which should have the result of removing a person from president's office in the committee without removing him from the office of member. It is for this reason that this provision has been embodied in the Bill.

Mr. Owen Roberts : May I ask one question of the Honourable Minister? Is it his position that Government is of opinion that a president or vice-president who has abused his powers or has been habitually negligent or failed to carry out his duties is a fit person to be a member of a committee?

The Honourable Dr. Gokul Chand Narang : A person may have failed in the discharge of his duties as president of a committee, but he may be able to perform his duties as a member if he is not burdened with the extra duties of president. The duties of a member are not so arduous as those of a president or vice-president. The object of this provision is to relieve him of the extra burden of the duties of president or vice-president if he has failed to perform these functions properly.

Mr. President : The question is—

That clause 9 as amended 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.

CLAUSES 11 TO 15.

Mr. President : The question is—

That clauses 11 to 15 stand part of the Bill.

The motion was carried.

CLAUSE 16.

Lala Labh Chand Mehra : Sir, I beg to move—

That in clause 16, for sub-clause (1) the following shall be substituted :—

“(1) On the occurrence or threatened occurrence of any event involving or likely to involve extensive damage to property or danger to human life or grave inconvenience to the public, the president or, in the absence of the president or during the vacancy of his office, a vice-president, may, if in his opinion there is an emergency necessitating action before the matter can be considered by the committee, direct the execution of any such work or the doing of any such act which the committee is empowered to execute or do, as the emergency shall in his opinion justify or require, and may direct that the expense of executing such work or doing such act be paid from the municipal fund.”

The motion was carried.

Mr. President : The question is—

That clause 16 as amended stand part of the Bill.

Mr. Owen Roberts (Nominated, Non-official): Sir, I oppose this motion. If one looks at section 35 of the Act dispassionately one realises that it must have been put into the Act to protect the official presidents in the discharge of their duties, and it provides a very necessary and proper protection. Now that there are non-official presidents, I submit that, while with a properly regulated system of municipal administration, the need for such a provision may not exist at all yet the clause should stand till this is brought about. A great deal has been said about the abuse of this section, but not much has been heard in this House of the absolute necessity for it under present conditions. We have on the opposite benches officers who have sat as official presidents of municipal committees and who, therefore, understand what the difficulties are. I should be very glad if one of them were to let us know whether he could have carried on municipal administration without the use of this section. I have spoken to many officers about it, and they have all agreed that it would be impossible and that they themselves have used it. Yesterday the Honourable Minister made considerable play with the fact that here was a Bill with 108 clauses, most of them useful, and that the people on this side of the House, the opponents of the Bill, proposed to wreck it just because of a few clauses which did not please them. I would ask him to extend to others in this matter the charity that he asked for himself. I do not see why this clause should be amended when, if one were to take the balance between its abuse and the necessities for its employment, it would be strongly in favour of the retention of the clause as it stands now. But my greatest objection to its alteration is on the point that it touches the president's control. I have used the provisions of section 35 myself, and I see no need to defend my use of it.

I submit finally that the amendment of this section will raise feelings which can only be regarded as deplorable. I quote from the *Daily Herald* of the 4th April in this connection. This is how a writer expresses himself on this point—

Of course the Muslim Oligarchy which runs municipalities in the Punjab will oppose the clause making individual members pecuniarily liable for mischief wrought by their own *zootum*—for that's what the new clause amounts to.

Then again Muslim presidents—or would-be presidents—naturally kick against the new section which effectively clips their wings.

The reference here is to the alteration of section 35. It does not help the Government of the future nor that of to-day to insist on a course of ac-

tion which affords a handle to any scurrilous writer to stir up strife. The amendment will cause bad feeling, and I appeal to the Honourable Minister to leave the clause alone.

The Honourable Dr. Gokul Chand Narang : Sir, we have discussed section 35 at great length both during this session and also once or twice in some of the earlier sessions. Section 35 is certainly a necessity to meet emergencies ; but the power which is conferred upon the presidents or in their absence on the vice-presidents under this section has to be controlled, defined, very well specified and restricted, because our experience has shown that in many cases it has been abused, and even if there are some who have not abused it, certainly the powers under section 35 are liable to abuse and tend to make the presidents autocratic, and think, like some old monarch of France, " I am the state, I am the municipal committee " and they have a great temptation of carrying on things their own way. Just to satisfy myself how one of the biggest committees in the province, the municipal committee of Lahore, fared in this respect, I sent for a list of orders which had been passed under section 35 during the last three years, and I found that when the papers came to me, the list which I thought might be of one or two foolscap sheets weighed several pounds. It looked like a big register, and I just made a rough calculation and found that in one year alone the orders passed under section 35 numbered about a thousand, and many of those orders could not be really justified under that section. They were *ultra vires*. Hundreds and thousands of rupees had been spent for which there was no emergency, and in some cases the money which had been given was not used by the persons to whom it was advanced, for months and months, which proved the fact there was no urgency. I had not the time to count the orders passed in the other two years ; I thought one year was enough. With these facts before us, it was impossible to allow section 35 to remain as in the existing Act, and hence this amendment is proposed. You will find from the wording of this amendment that all the cases in which the presidents should act urgently have been fully provided for. No inconvenience is likely to arise either to the president or the municipal committee or to the public by curtailing the power of the president in the way this amendment seeks to do. I therefore submit that the opposition of my honourable friend is probably based on the fact that he is not aware to what extent this section has been abused. He might not have abused it being a sensible man. But every president or vice-president is not Mr. Owen Roberts.

Mr. President : The question is—

That clause 16 as amended stand part of the Bill.

The motion was carried.

CLAUSE 17.

Lala Labh Chand Mehra : Sir, I beg to move—

That in clause 17, in sub-section (1), as substituted between the words " approval of the Local Government " and the comma and words " one of its members " the words " in the case of a municipality of the first class and of the Commissioner in the case of a municipality of the second class " shall be added.

The motion was carried.

Lala Labh Chand Mehra : Sir, I beg to move—

That in clause 17, in sub-section (1) as substituted between the words and comma "at a like meeting," and the comma and the word "suspend" the words "with the sanction of the Local Government" shall be omitted.

The motion was carried.

Lala Labh Chand Mehra : Sir, I beg to move—

That in clause 17, in sub-section (2) as substituted, the comma and words "with the previous sanction of the Local Government" occurring between the words and comma "Engineer, and may" and "assign to them" shall be omitted.

The motion was carried.

Lala Labh Chand Mehra : Sir, I beg to move—

That in clause 17, sub-section (2) as substituted, the words "with the sanction of the Local Government" occurring between the words "at a special meeting" and "remove or dismiss" shall be omitted.

The motion was carried.

Lala Labh Chand Mehra : Sir, I beg to move—

That in clause 17, sub-section (2) as substituted, after the word "appointed" at the end of the clause the full stop shall be omitted and a colon be added, and the following words be added as a proviso :

"Provided that a Medical Officer of Health towards whose emoluments a contribution is made by the Local Government shall not be appointed or dismissed without the previous sanction of the Local Government."

The motion was carried.

Mr. President : The question is—

That clause 17 as amended stand part of the Bill.

The motion was carried.

CLAUSE 18.

Lala Labh Chand Mehra : Sir, I beg to move—

That in clause 18 the proviso shall be omitted.

Mr. President : Clause under consideration, amendment moved—

That in clause 18 the proviso shall be omitted.

The Honourable Dr. Gokul Chand Narang : I want to explain that I am accepting this amendment just as I have accepted the amendments to clause 17. These amendments reduce the power of the Government in respect of the dismissal or removal of the municipal employees by the committees, and this has been done to meet the wishes of honourable members who unfortunately are absent from the House to-day.

Mr. President : The question is—

That in clause 18 the proviso shall be omitted.

The motion was carried.

Mr. President : The question is—

That clause 18 as amended stand part of the Bill.

The motion was carried.

CLAUSE 19.

Mr. President : The Honourable Ministers' amendment¹ to clause 19 appears to go beyond the scope of the original clause, which lays down that on the receipt of Government's direction the committee shall comply with it. The amendment proposed to be moved says that the direction of Government shall be taken as an order of the committee. In other words, the power which the committee had to punish its servant under the direction of the Government is being taken away from it.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government): This amendment does not introduce much of a change.

Mr. President : A certain right was to be exercised by the committee² in accordance with Government's directions. Now it is proposed that no power shall be exercised by the committee.

3. P.M.

The Honourable Dr. Gokul Chand Narang : Just now you have allowed some clauses to be passed in which Local Government who originally had been given certain powers have been deprived of such power. I am referring to the amendments moved by Mr. Labh Chand.

Mr. President : But that has not been given to somebody else.

The Honourable Dr. Gokul Chand Narang : You will allow me to explain. In the clauses as they stood before the amendment—

Mr. President : I think the amendment goes beyond the scope of the clause.

The Honourable Dr. Gokul Chand Narang : The difference is infinitesimally small. According to the clause as it stands the Government has to pass an order to the committee and the committee has to comply with it. There is no option left to the committee.

Mr. President : The committee no doubt has no option, yet it is the committee which has to take action against its own subordinates. What is now proposed is that the committee shall have no power whatsoever, and that the Government's direction shall be tantamount to committee's action.

The Honourable Dr. Gokul Chand Narang : If the committee had been left any choice there would have been some difference in principle. Now it is like, say, eating a fruit with a fork or eating with hand. Only the fork has been displaced otherwise there is no difference. If there had been any option left with the committee your criticism would have been perfectly right—I do not mean to question your view—

Mr. President : If there is no difference the original clause is as good as the tabled amendment.

¹That for section 41 of the Punjab Municipal Act, 1911, inserted by clause 19 of the Punjab Municipal (Amendment) Bill the following be substituted, namely :—

"41. If, in the opinion of the Local Government, any officer or servant of the Committee is negligent in the discharge of his duties, the Local Government may, by written order, require the Committee to suspend, fine or otherwise punish him; and if, in the opinion of the Local Government, he is unfit for his employment, the Local Government may require the Committee to dismiss him; and such requirement shall be deemed to be an order of the Committee and shall take effect from the date of its receipt in the office of the Committee."

The Honourable Dr. Gokul Chand Narang : The difficulty is this. Supposing the Government issues an order to a municipal committee and the municipal committee does not carry it out. There is no alternative left with the Government. The only thing in that case which we can do is to supersede the committee. It is to obviate that drastic action that we have substituted that clause by this one.

Mr. President : Suppose the committee does not give effect to Government's order.

The Honourable Dr. Gokul Chand Narang : In any case the order would be there, it would be deemed to have been passed, and when the auditor comes he would object if any salary has been paid to an employee so dismissed. Then clause 23 will come in, if the municipal committee pays the salary of the employee. This will be taken as misapplication and the members shall be made liable. The auditor will come in and say that the Government has passed an order that this man should be dismissed because that order would be deemed to have taken effect, and if he continues to be in service his salary cannot be paid out of municipal funds.

Mr. President : The original clause, as it stands, only restricts the power of the committee; while the proposed clause takes away that power altogether. This is the difference.

The Honourable Dr. Gokul Chand Narang : Slight difference if any. It is only a technical difference.

Mr. President : I have given my best consideration. The amendment goes beyond the original clause inasmuch as it deprives the committee of a certain power which the original clause confers on it.

The Honourable Dr. Gokul Chand Narang : That extent is infinitesimally small.

Mr. President : However small it may be, it is there.

The Honourable Dr. Gokul Chand Narang : If you rule it out of order, I will submit.

Mr. President : I think that the amendment does go beyond the original clause, though slightly and that, therefore, it is out of order.

Mr. E. Mayadas (Nominated, Non-official) : Sir, I beg to move—

That in clause 19, section 41-A shall be omitted.

Mr. President : This is only a negation of the clause.

Question is—

That first part of clause 19 stand part of Bill.

The motion was carried.

Mr. President : Question is—

That clause 41-A stand part of the Bill.

The motion was lost.

Mr. President : Question is—

That clause 19 as amended stand part of the Bill.

Mr. Owen Roberts (Nominated, Non-official) : I wish once more to make a formal protest. Once again for no special reason that I can see the Ministry is taking powers of interference with the every-day functioning

of the committees. Since they may be called upon to fine their servants and give them all sorts of punishments they will very soon cease to be the servants of the committees at all. It would be to the Ministry that they will look as their masters, and the lot of the councillors will be most unenviable. I know my protest is only formal, but I must lodge it.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government): I may point out for the information of the honourable members present that a similar clause already exists in the Act, and all that we have done is this that we have added the provisions as to suspension, fine or similar other kinds of punishments. Now if my honourable friend would remember there was a time when in England even theft was punishable with death, and the result was that people who committed theft also committed murder because one might as well be hanged for murder as for theft of an orange. Under the Act the only requisition that Government can make is for the dismissal of the servant. Supposing a servant has misbehaved and the Government wants to bring him to book and the municipal committee does not listen. The only requisition Government can make is to ask the committee to dismiss that person. But there may be cases in which some punishment may be necessary, but not dismissal. Mr. Owen Roberts is speaking in the interest of the employees but he forgets that this amendment is in the interest of the employees themselves.

Mr. President: Question is—

That clause 19 as amended stand part of the Bill.

The motion was carried.

CLAUSES 20 TO 22.

Mr. President: Question is—

That clauses 20, 21, and 22 stand part of the Bill.

The motion was carried.

CLAUSE 23.

Lala Labh Chand Mehra (Nominated, Non-official): Sir, I beg to move—

That in clause 23 in section (50) (1), as amended, between the words "to be a" and "consequence," the word "direct" shall be added.

Mr. President: Clause under consideration, amendment moved—

That in clause 23 in section (50) (1) as amended, between the words "to be a" and "consequence," the word "direct" shall be added.

The Honourable Dr. Gokul Chand Narang: This, Sir, I accept. This again mitigates the rigour of section 50 as it stands. Because no member would be proceeded against unless the loss of the municipal committee is the direct consequence of his neglect or misconduct. This is intended to afford some protection to the municipal commissioners against any hasty or ill-judged action of the auditor or any local fund officer.

Mr. President: Question is—

That in clause 23 in section (50) (1), as amended, between the words "to be a" and "consequence," the word "direct" shall be added.

The motion was carried.

Lala Labh Chand Mehra (Nominated, Non-official): Sir, I beg to move—

That in clause 23 in section (50) (1), as amended, between the words "or misconduct" and "in the performance" the words "or dilatoriness" shall be omitted.

Mr. President: Clause under consideration, amendment moved—

That in clause 23 in section (50) (1), as amended, between the words "or misconduct" and "in the performance" the words "or dilatoriness" shall be omitted.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government): Sir, this again affords a protection to municipal commissioners. A complaint was made that dilatoriness was really too venial an offence to deserve any action being taken against a member. Though I must admit that sometimes dilatoriness leads to serious consequences, yet not to make the position of the municipal commissioners hard I accept this amendment as well.

Mr. President: Question is—

That in clause 23 in section (50) (1), as amended, between the words "or misconduct" and "in the performance", the words "or dilatoriness" shall be omitted.

The motion was carried.

Lala Labh Chand Mehra (Nominated, Non-official): Sir, I beg to move—

That in clause 23 in section (50) (1), as amended, the first proviso at the end of the section shall be omitted, and the following inserted in its place:—

"Provided that no person under this section shall be called upon to show cause, after the expiry of a period of four years from the occurrence of such loss, waste or misapplication, or after the expiry of one year from the time of his ceasing to be a member."

Mr. President: Are the words "provided that no person under this section" put in proper place?

The Honourable Dr. Gokul Chand Narang: It occurred to me also, but as I thought that it has been drafted by people whose mother tongue is English I thought I had better not interfere.

Mr. President: The question is—

That in clause 23 in section (50) (1), as amended, the first proviso at the end of the section shall be omitted, and the following inserted in its place:—

"Provided that no person under this section shall be called upon to show cause, after the expiry of a period of four years from the occurrence of such loss, waste or misapplication, or after the expiry of one year from the time of his ceasing to be a member."

The motion was carried.

Mr. President: The question is—

That clause 23 as amended stand part of the Bill.

Mr. Owen Roberts (Non-official Nominated): I protest against the passing of this clause as it is totally unnecessary. Our attention was drawn yesterday to the provisions of clause 240 of the Municipal Act. Under item (i) the power of surcharge already exists, and there very curiously it is recognised that proper persons to effect the surcharge are the auditors. In the opening words of the section it says:

The Local Government has powers to frame forms for any proceeding of a committee and may make any rules consistent with this Act to carry out the purposes thereof and in particular to the generality of the foregoing power may make rules.

The fact that Government already had the necessary powers makes this one of the points that has caused so much strong feeling. I feel that the power of surcharge is a very proper one, but why raise the question in this way when Government has all the powers necessary. The same remark applies practically to every clause that I have objected to. The powers already exist under which these things should be done, and we in effect get no further than when we started.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government): I think a word of explanation is necessary. As was pointed out by Mr. Marsden in one of his speeches, power to a certain extent is given under the rules, but not all the power that is now sought under this clause is contained in that rule even, but if the whole power, as my honourable friends think, were given under the rules, in the interest of the municipal committees themselves, I would have insisted upon this provision being included in the statute because rules can be easily changed, not so the statute. The making of rules and unmaking of rules will depend upon the ministers who will be in charge for the time being and who may not be so careful as to see everything and who may make mistakes in making rules, but it is not so easy to change a statute, as I find in the case of this very Bill. If a minister took it into his head to change the statute he will have to come to the Council for making any departure from the rule. It is not safe that this power should remain in the hands of any one individual, but should be placed on a statutory basis.

Mr. President: The question is—

That clause 23 as amended stand part the Bill.

The motion was carried.

CLAUSE 24.

Mr. President: The question is—

That clause 24 stand part of the Bill.

The motion was carried.

CLAUSE 25.

Mr. E. Mayadas: Sir, I beg to move—

That in sub-section (4) of clause 25, between the words "made in" and the figure and words "52 or" the word "action" shall be omitted and the word "section" shall be added.

The motion was carried.

Mr. President: The question is—

That clause 25 as amended stand part of the Bill.

Mr. Owen Roberts (Non-official, Nominated): This is the last of the clauses that I feel obliged to oppose. I do not for one moment hope that Government will accept my protest, but nevertheless I must make it. My objection is the very half-hearted way in which Government accepts the principle to centralise supervision. Powers have been taken in the clause to charge municipalities something for the cost of the supervision, and this I think is very proper. But so far as I know they have not made any other provision in the Bill for carrying this into effect. I spoke the other day

[Mr. Owen Roberts.]

of the advance of public feeling and public opinion in these matters. It would have been a very simple thing for Government if they are thinking seriously about this matter to have left out throughout the Bill any reference to deputy commissioners and commissioners, and to appoint these gentlemen for the purposes of inspection as the agents of the central body. We would then know once for all who is responsible for local government. As I said yesterday deputy commissioners and commissioners have been repeatedly over-ruled. They are busy men and have no time to do this work properly, and in the result it is very doubtful who is responsible for doing it. The Ministry can hide behind the district officers and say that these officers do not carry out their duties. These officers are overworked, and are not able to devote the necessary time, and when they do act they are often overruled. The situation is thoroughly unsatisfactory, and I submit that in this clause Government has failed to take that special notice of the subject which they had the opportunity of doing.

The Honourable Dr. Gokul Chand Narang (Minister for Local Self-Government): I should like to explain this. Some time ago, I think last year, I called a meeting of all the commissioners of the Punjab and we discussed this question. We spent a good deal of time over it, and we arrived at a conclusion no doubt, but that conclusion was naturally of a tentative character, and we have not yet decided, because it is not a very easy question, what definite form this local self-government board or inspectorate should take, but as the Bill was on the anvil it was considered necessary that a provision should be made in the Bill so that when a definite form that this local self-government board was to take had been determined, there should be no legal difficulty. My honourable friend might have also noticed that towards the end of this Bill there is in the list of amendments to clause 92 an amendment which refers to this matter also, and it will be provided for in the rules what form this local self-government board or inspectorate is to take. He should not remain under the impression that Government is not alive to the necessity of giving a definite shape and form to this proposal. This has only been hinted at in this clause to obviate any legal difficulty that may arise when the time comes.

Mr. President : The question is—

That clause 25 as amended stand part of the Bill.

The motion was carried.

CLAUSES 26 TO 34.

Mr. President : The question is—

That clauses 26 to 34 stand part of the Bill.

The motion was carried.

Lala Labh Chand Mehra : Sir, I beg to move—

That in clause 35 between the words "place for" and "purpose" the word "the" shall be added.

The motion was carried.

Mr. President : The question is—

That clause 35 as amended stand part of the Bill.

Mr. E. Mayadas (Nominated, Non-official): I wish to oppose this clause, and my reasons for the opposition are that yesterday a member spoke on the matter of burial of bodies in a time of emergency, and it is not quite clear whether it would be possible for municipal committees to allow bodies to be buried in an emergency except in burial grounds sanctioned by Government. Until this matter is made clear, I feel that I ought to oppose this clause.

Mr. P. Marsden (Secretary, Transferred Departments): Sir, I am glad I have the opportunity of very briefly explaining the purport of the amendment to section 107 of the Act. It was clear from the speech of an honourable member at a previous stage that it is possible—although I would not have thought it possible—to misunderstand the meaning of the amendment. I would point out that the amendments are to sub-clauses (1) and (3) of section 107. It was originally at the suggestion of the Director of Public Health that these amendments were framed. He pointed out that sometimes burial grounds are situated in undesirable places, and that if the committees do not close them, Government ought to have the power; and he also suggested that Government sanction should be necessary to the starting of new burial grounds. Now it was suggested by the honourable member to whom I have referred that this amendment leads to a result to which it really does not lead. He said, supposing a person happens to die suddenly at a particular place and it is necessary to bury him there, or supposing that he happens to be a *fakir* or a *sadhu* and sentiment demands that he should be buried in that particular place, that can no longer be done without the sanction of Government. Now I pointed out previously that he had not realised that sub-section (iv), which gives the committee power to permit all such burials, has not been altered in that respect by the amendments; that is to say, if an individual dies and it is necessary to bury him in a place which is not a permanent and sanctioned burial ground, the committee can still as before under sub-section (iv) give permission. I explained that very carefully on a previous occasion. I left no doubt on that particular point, that an individual so dying could be buried in future, as he could be before, and that for such cases these provisions for the sanction of Government do not affect the question. I trust that the matter is now clear. I should have thought it ought to have been clear before. I know that the honourable member who has opposed this clause to-day is not, and I hope that no other honourable member can possibly be, under any misapprehension.

Mr. Owen Roberts: On this point may we have the views of the Legal Remembrancer, because there is a great deal of diversity of opinion on the subject?

The Honourable Dr. Gokul Chand Narang: Where is the great diversity?

Mr. President: The question is—

That clause 35 as amended stand part of the Bill.

The motion was carried.

CLAUSES 36 TO 39.

Mr. President: The question is—

That clauses 36 to 39 stand part of the Bill.

The motion was carried.

CLAUSE 40.

Lala Labh Chand Mehra : I beg to move—

That after clause 40 the following clause be inserted and the subsequent clauses re-numbered as clauses 42 to 96, respectively :—

“ 41. For section 122 of the said Act the following section shall be substituted namely :—

Substitution of new
section for section 122 of the
Punjab Municipal Act,
1911.

122 (1) No public dramatic or circus performance or pantomime shall be given in any municipality elsewhere than in premises for which a licence has been granted by the committee under this section.

Prohibition of dramatic
performance, etc., except
in licensed premises.

(2) If any person takes part in any public dramatic or circus performance, or pantomime, or if the occupier of any premises allows those premises to be used, in contravention of the provisions of this section, or of any condition of a licence granted under this section, he shall be liable to a fine not exceeding two hundred rupees, and in the case of a continuing offence, to a further penalty of fifty rupees for each day during which the offence continues, and the licence, if any, shall be liable to be revoked by the committee.”

Mr. President : This is an amendment to the original Act and not an amendment to the Bill. It is, therefore, out of order.

The question is—

That clause 40 stand part of the Bill.

The motion was carried.

CLAUSES 41 AND 42.

Mr. President : The question is—

That clauses 41 and 42 stand part of the Bill.

The motion was carried.

CLAUSES 43 TO 50.

Mr. President : The question is—

That clauses 43 to 50 stand part of the Bill.

The motion was carried.

CLAUSE 51.

Mr. E. Mayadas : Sir, I beg to move—

That in clause 51, proviso, (a) to sub-section (1) of section 151 shall be omitted and provisos (b) and (c) shall be re-lettered (a) and (b), respectively.

The motion was carried.

Mr. President : The question is—

That clause 51 as amended stand part of the Bill.

The motion was carried.

CLAUSE 52.

Dr. (Mrs.) M. C. Shave (Nominated, Non-official) : Sir, I beg to move—

Clause 52 of the Bill, for section 152 of the said Act the following section shall be substituted, namely :—

“ 152 (1). The Committee may, by public notice, prohibit in the whole of the municipality—

- (a) the keeping of a brothel,
- (b) the solicitation or molestation for purposes of prostitution.

(2) Whoever, after the date specified in the public notice issued under sub-section (1)—

- (a) keeps or manages or acts or assists in the management of a brothel within the municipality, or
- (b) being the tenant, lessee, or occupier of any premises, knowingly permits such premises or any part thereof to be used as a brothel or for purposes of habitual prostitution within the municipality, or
- (c) being the lessor or landlord of any premises or the agent of such lessor or landlord, lets the same or any part thereof, within the municipal area, with the knowledge that such premises or some part thereof, are, or is, used as a brothel, or for the purposes of habitual prostitution, or is willfully a party to the continued use of such premises as a brothel or for the purposes of habitual prostitution

shall be punishable with imprisonment of either description, for a term which may extend to six months, or with fine which may extend to Rs. 500, or with both, and in the case of a continuing offence with an additional fine not exceeding Rs. 25 for every day after the first during which the offence continues.

(3) Whoever, under (1) (b) above in any street or public place or within sight of, and in such manner as to be seen or heard from any street or public place, whether from within any house or building or not—

- (a) by words, gestures, or indecent personal exposure, attracts or endeavours to attract attention for the purposes of prostitution; or
- (b) solicits or molests any person for the purposes of prostitution;

shall be punished with imprisonment of either description, which may extend to one month, or with fine which may extend to one hundred rupees, or with both.

Notwithstanding anything contained in section 65 of the Indian Penal Code, imprisonment in default of fine imposed under sub-section (3) (b) may extend to one month.

I have been cowardly enough to wish that this speech could have been postponed until there were more women members in this Council, but the glib facility with which members have spoken in the Council of the Punjab peasant selling his daughter to pay his land revenue finally decided me. If I may digress a little I should like to tell you of an old man who brought his daughter to hospital many years ago when I just came to the Punjab. I wish I could describe the beauty of that aged face. The daughter was dying of an incurable disease, and we had to tell the old man that all we could do for her was to ease her passage to the grave. While his lips murmured submission to the will of Allah there was an anguished question in his eyes. He would willingly have given his life for her. That old man has stood to me for the Punjab peasant ever since; and to suggest that a man of his type could sell his daughter to fill his stomach is infamous.

My amendment proposes that the words “in any specified part of the municipality” be deleted. If retained, the municipal committee condones and gives a semblance of official sanction to brothel-keeping in itself, so long as it is carried on outside a prohibited area or areas. The result of this policy,

[Dr. (Mrs.) M. C. Shave.]

known throughout the civilised world as the "*Regulationist*" method of dealing with the greatest of all social evils, is that brothels tend naturally to become grouped in what are termed "segregated areas." In this country the tendency towards segregation is the more marked as it is in accordance with the custom of other trades as well as the one with which we are now concerned. As a method of dealing with prostitution, however, segregation is useless for a very good reason. It has always been found impossible to confine prostitutes to the segregated area. In the most strictly regulated countries the volume of clandestine prostitution has always been greater than that which came under regulation.

Besides being useless, segregation has very evil results—

1. It creates the greatest possible facilities for bribery and corruption.
2. Worse, it gives the greatest possible prominence and advertisement to vice ; gives it official sanction : makes the brothel convenient and easy of access ; by giving added publicity, temptation is increased. The area is a constant danger to young men and to visitors to the city. It is well-known that tonga-wallas, taxi-drivers, etc., are the agents of the brothel-keepers from whom they receive commission.

There is no force in the argument that young men will be deterred from visiting the vice-area for fear that, if seen there, their business will be at once obvious. Who is there to see them except those bent on the same business ?

3. The segregated area must inevitably be a hot-bed of appalling disease, and therefore constitutes a danger to the health of the whole community which it is criminal for any public health authority to ignore, much less condone and even encourage.

4. Last, but not least, the segregated area exposes to moral contagion those who are already most imperilled and whom every consideration of interest and decency should impel society to protect—the children of the poor. For the segregated area will inevitably be located where rents are low and where neighbours have the least influence.

These are some of the evil results of segregation : there are no good results whatsoever.

In dealing with this social evil, what are the aims to be kept in view ?

The aims are threefold :—(1) Public order and decency ; (2) public health ; (3) public morals. I submit that no one of these aims is attained by the policy under consideration, viz., toleration of brothels combined with partial prohibition, resulting in the formation of segregated areas. Public health and a decent standard of public morality are certainly not secured. If a certain measure of order seems to be attained, and some people are relieved of a nuisance, the relief is dearly bought at the expense of increased disorder and immorality elsewhere. Decent citizens may be given the desired relief in other ways not open to such grave objection. The essential thing is unconditionally to penalise the brothel-keeper, in other words, to abolish the brothel as a tolerated institution. Let there be no misapprehension here. No thoughtful person supposes for a moment that prostitution itself can be

abolished by a stroke of the legislative pen. It cannot. With private vice as such the law has no concern. The law is concerned with crime, an offence against society which is defined by law and capable of proof or disproof. The law can take no cognisance of private character merely as such. It is obviously incompetent to do so. With private prostitution as such the law cannot deal. If two persons decide on a certain line of conduct which, although it may be vicious, yet involves no legal offence, they are at perfect liberty so to act as far as the law is concerned. The practice of prostitution is not, in itself, a legal offence, and therefore, unless and until it is made so, it cannot be dealt with by law. The remedy for private prostitution is to be sought for in education directed towards the attainment of a high and equal moral standard of sex conduct, an improved public opinion.

Is the law then powerless to check the evil? By no means. Justly employed, it is a powerful and indispensable instrument. For when we have said that prostitution, as a private vice, is beyond the scope of the law, we have by no means exhausted the subject. Prostitution has also its public and criminal manifestation as an organised traffic and commerce. This Commercialised Prostitution with which we, as legislators, are most deeply and justly concerned, is based, like any other trade, on supply and demand. The demand, without which there would be no traffic, comes from a large number of men, who are the ultimate financers of the traffic. The supply consists of a smaller number of women and children, who in the process of supplying the demand are unspeakably degraded, if not completely ruined body and soul. The supply is procured, often in infamous ways, by a third party who, for private gain (which is needless to say often very considerable), does all in his or her power to stimulate the demand and procure an ever-increasing supply to meet it. The real nature of this infamous traffic is somewhat obscured by the practice of singling out for condemnation one only out of the three parties engaged in it. The woman who forms the supply and suffers unspeakably in so doing, is contemptuously designated a "common prostitute," unjustly and illegally penalised by law such as we have here in the Punjab, while her equally guilty partner who creates the demand for her services is entirely exonerated from blame and even moves in decent society as an honourable man. This particular obscurity and unfairness has been noted and rectified by learned judges in England, amongst whom there is gaining currency a term which more justly denotes the part played in the traffic by the men who constitute the demand, instead of speaking non-committally of the "client" or "customer" of a common prostitute, it is suggested that the term "common profligate" conveys a more just estimate of the situation. It certainly does and we are indebted to the learned judge who first used the term.

To sum up :—The law then has to deal with an organised traffic, with demand, the common profligate, with supply, the common prostitute, with organiser, stimulator, profiteer, the brothel-keeper, landlord, procurer, souteneur living on the earning of a prostitute, taxi-drivers, tonga-wallas, and so on, the whole army of traffickers. Let me quote in this connection the Report made to the League of Nations by the Body of Experts in 1927 :—

Abolitionists do not suppose that prostitution can be ended by legislation. What can be so ended is the disgrace of Government tolerating brothel-keeping, the prostitution of women, and third-party exploitation for profit. Profit is at the

[Dr. (Mrs.) M. C. Shave.]

bottom of the business. It is the third-party element which makes the traffic in women so tragic an affair in its worst aspects. If the third-party could be eliminated, the battle would be largely won. The difficulty of eliminating the third-party element becomes greater in countries where the keeping of brothels is legal..... The existence of licensed houses is undoubtedly an incentive to traffic, both national and international.

The common profligate who creates the demand, is exonerated from blame, in fact treated with considerable sympathy. The infamous trafficker and profiteer, who is the real criminal, is tolerated, and given official sanction outside the prohibited area. The common prostitute, the woman who supplies the insistent demand of the profligate, who by her degradation enriches the trafficker, is alone penalised because she is an easy prey. She can be got at without difficulty, especially if poor and unprotected, because prostitution is her profession, while the profligate, so to speak, is an amateur. But prostitution is not an illegal profession, and we have no right to penalise the prostitute as such unless we are willing to define prostitution as a legal offence. What shadow of right is there for prohibiting the mere "residence" of a woman merely on account of her private character. I submit that we have no right whatever to do so. It is an infringement of the common justice on which all our law is based. "We will sell to no man, we will not deny to any man, either justice or right" ought to be familiar words to men trained in law. The law under discussion denies to a certain class of women both justice and right. The arguments used in defence of the injustice are no arguments at all. Advocates of this unequal law, this unjust measure of exception are forced to fall back upon false analogies in defence of their position.

1. The analogy of the wine-shop is used. The wine-seller is prohibited from selling his wares in prohibited areas so why not the prostitute? To this we reply once more, wine-selling without a licence is an illegal profession. Prostitution is *not*.

2. The segregated area is in the nature of a sewer, a sink, a waste-paper basket. This implies that as the sewer is necessary for public health, so is prostitution necessary, not for the health of the community—far from it—but for the health of the men who resort to it at the expense of the woman's degradation. The assumption that prostitution is necessary and inevitable is, categorically denied by the most responsible scientists and experts of the present day. A statement on this subject was published a few years ago over the signatures of a distinguished group of British Scientists whose authority cannot be disregarded by any but the ignorant and unenlightened. This statement should be more widely known. It is entitled "A Statement on Continence," and states emphatically that continence outside marriage has no harmful effects whatever, mental or physical, on the health of men.

3. Yet another plea in defence of the penalising of a woman who is committing no legal offence, is that the prohibition of her residence in a certain area falls within the scope of preventive law. Here again the analogy is false. Preventive law can only be applied when it is proved that there is intent to commit a legal crime. Once more we repeat, the profession of prostitution is not an illegal one.

In this connection it is also argued that the fact that numbers of men visit the house for purposes of prostitution constitutes a public nuisance.

If this is admitted, then obviously the offence is committed by the men who frequent the house, causing thereby scandal and danger to morals. The obvious remedy, as we are tired of repeating, is to make prostitution a legal offence, penalise the profligate for frequenting a house for the purposes of prostitution, and post a policeman on the doorstep, as it is alleged in this connection that the profligate is difficult to catch.

This futile attempt to check an evil traffic by regulating supply alone, while demand and profiteering are dealt with ineffectively or not at all, has now been given up by practically the whole civilised world after over a century's experience of this kind of regulation. Out of the 47 nations who had adopted a regulationist policy, 31 have now discarded it, in favour of the abolition of brothels, while the remaining 16 have appointed commissions of enquiry. It has been conclusively proved that the results of an abolitionist policy are a progressive improvement in public health, public order and decency. Combined with the abolition of brothels and regulation of the prostitute goes a constructive policy of public hygiene and education towards a higher moral standard. I cannot, I think, be accused of encouraging prostitution by unduly defending the prostitute. Private vice, whether in man or woman, cannot be punished by law, but any breach of public order or decency can be so punished, whether committed by man or woman. This is fully provided for in the amendment I am proposing.

In conclusion, there is urgent need for the Punjab to think well before it perpetuates this unjust, as well as out-of-date and discredited policy of attempted regulation and segregation of vice. I have already said that out of 47 civilised nations 31 have adopted the abolitionist policy and 16 are considering it.

What is India's policy? In India, Madras, Bombay, Burma, Ceylon, all have Acts penalising brothels; the Bengal Act received final assent on March 31st. Several Indian States, (i.e., Travancore, Cochin, Puddkottah), have laws to the same effect. A Bill was introduced last year into the U. P. Council; and in the N.-W. F. P. also, legislation of an abolitionist character is being considered. Wherever such legislation is introduced, it is a matter of experience that the brothel-keeper does not wait to be penalised, but wisely goes elsewhere. If alone among the major provinces of India, the Punjab retains a policy of toleration of brothels, it is not difficult to see where the traffickers of other provinces will find there refuge. It is said that prostitution is on the increase in Lahore. I would suggest that if we refuse to bring our law in this respect up to the level of the laws of the rest of India, we shall be offering a welcome to the traffickers of nearly every other province, and we shall have no reason to expect any result except that the social evil will increase by leaps and bounds.

Mr. President: Has the honourable member the leave of the House to introduce or place before the House the new clause which she proposes to substitute for the original clause?

The Honourable Dr. Gokul Chand Narang: I oppose the granting of leave.

Mr. President: The question is—

That the honourable member be given leave to introduce and place before the House a new clause which she proposes to take the place of the original clause.

The motion was lost.

Mr. President : The next amendment¹ of Dr. (Mrs.) Shave to clause 52 is out of order as it is an amendment to the principal Act. The question is—

That clause 52 stand part of the Bill.

The motion was carried.

CLAUSES 53 TO 55.

Mr. President : The question is—

That clauses 53 to 55 stand part of the Bill.

The motion was carried.

CLAUSE 56.

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

That in clause 56 in sub-section (1) of section 167 as amended the words "District Magistrate" shall be omitted, and in their place the words "Deputy Commissioner" be added.

The motion was carried.

Mr. President : The question is—

That clause 56 as amended stand part of the Bill.

The motion was carried.

CLAUSES 57 TO 70.

Mr. President : The question is—

That clauses 57 to 70 stand part of the Bill.

The motion was carried.

CLAUSE 71.

Dr. (Mrs.) M. C. Shave (Nominated, non-official) : I beg to move—

That in clause 71 (iii) (1a), the words "restaurants and cafes" be added.

Mr. President : Clause under consideration, amendment moved—

That in clause 71 (iii) (1a), the words "restaurants and cafes" be added.

The Honourable Dr. Gokul Chand Narang : I would draw the attention of the honourable member that it is not really necessary to add these words, because the words "places of public resort" are already there, and they include restaurants and cafes which are surely places of public resort.

Dr. (Mrs.) M.C. Shave : Then I beg leave to withdraw the amendment.

¹That the following be added after sub-clause (d) of sub-section (2) of section 153, namely—

"(e) Attracts or endeavours to attract attention for purposes of prostitution by words, gestures or indecent personal exposure in any street or public place, or solicits or molests any person for the purposes of prostitution."

The amendment was by leave withdrawn.

Mr. President : The question is—

“That clause 71 stand part of the Bill.

The motion was carried.

CLAUSES 72 TO 87.

Mr. President : The question is—

That clauses 72 to 87 stand part of the Bill.

The motion was carried.

CLAUSE 88.

Lala Labh Chand Mehra : Sir, I beg to move—

That in clause 88, in sub-section 231 (1) (b) as amended in line 4 from the bottom for the words “such compliance,” the words “the requisition” be substituted.

The motion was carried.

Mr. President : The question is—

That clause 88 as amended stand part of the Bill.

The motion was carried.

CLAUSES 89 TO 92.

Mr. President : Question is—

That clauses 89 to 92 stand part of the Bill.

The motion was carried.

CLAUSE 93.

Mr. E. Mayadas (Nominated, Non-official) : Sir, I beg to move—

4 P.M.

That in clause 93, sub-section (iii), of section 1, shall be numbered as sub-section (iv), and between sub-section (ii) and (iv) as re-numbered the following shall be added as sub-section (iii):—

In clause (w) of sub-section (1) of section 240 between the figures “236” and the semi-colon, there shall be added the comma and words:—

“and the powers to be exercised by such Local Self-Government Board or Inspectorate as the Government may establish under section 52, for the purpose of advising, assisting and supervising the work of municipal committees and other local bodies.”

Mr. President : The honourable member's amendment is an amendment to the principal Act. Therefore, it is out of order.

The Honourable Dr. Gokul Chand Narang : Would you not follow the procedure which you followed in the case of the amendment which the honourable the lady member moved? I would ask for leave that this may be allowed to be introduced.

Mr. President : This is an amendment of the Municipal Act and not of the Bill.

The Honourable Dr. Gokul Chand, Narang : So was the other one that I have mentioned. I know there were other defects too in that, but I ask for leave to introduce this.

Mr. S. L. Sale : May I supplement the Honourable Minister's remarks? This amendment does not introduce any new principle. It is merely a consequential amendment.

(Hon'ble President proceeded to put the clause to the House).

The Honourable Dr. Gokul Chand Narang : Before you take the votes I would submit that in clause 25 relating to section 52 we have made a provision for the setting up of a local self-Government board or inspectorate. This rule-making power is really a consequence of that, and this amendment does not really introduce any new principle.

Mr. President : I have already declared that the proposed amendment is an amendment of the principal Act, and that, therefore, it is not permissible.

The Honourable Dr. Gokul Chand Narang : This is not a very material thing, but we wanted to make the position very clear.

Mr. President : Question is—

That clause 93 stand part of the Bill.

The motion was carried.

CLAUSES 94 AND 95.

Mr. President : The question is—

That clauses 94 and 95 stand part of the Bill.

The motion was carried.

CLAUSE 1, SUB-CLAUSE (1).

Mr. S. L. Sale : I beg to move—

"That in sub-clause (1) of clause 1 of the Punjab Municipal (Amendment) Bill for the figures "193" the figures "1933" be substituted.

The motion was carried.

Mr. President : Question is—

That sub-clause (1) of clause 1 stand part of the Bill.

The motion was carried.

Mr. President : Under clause 94 of our Business Manual I appoint a committee consisting of the Honourable Dr. Gokul Chand Narang, Mr. S. L. Sale and the Deputy President to examine the Bill as amended and to report by 5 p.m. to-day what amendments of a formal or consequential character should be made in the Bill as passed.

The Honourable Captain Sardar Sir Sikander Hyat Khan : What about the other motion? Do the honourable members want to take it up? I promised that we will take up the discussion of the report of the Committee on Rural Indebtedness after this Bill. I propose to wait till 5 p.m., and if the honourable member who wanted it to be discussed turns up then I shall be glad to meet his wishes.

The Council then adjourned and reassembled at 5 p.m.

BHAKRA DAM PROJECT.

Rao Bahadur Chaudhri Chhotu Ram (South-East Rohtak, Non-Muhammadian, Rural) : May I put just one question to the Honourable Revenue Member. A debate took place on the Bhakra Dam Project on the 27th March last. There was no time for the motion to come to a division, and we do not know exactly where we stand. I shall be

very grateful if the honourable member would enlighten the House what effect the discussion has had on the Government.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member): Sir, I admit that the debate was inconclusive, although the views of the various parts of the House were very clearly expressed. Nevertheless, Government found some difficulty in arriving at a decision. However, after careful consideration we have come to the conclusion that the special staff which we have so far retained for the Bhakra Dam should continue, and we should also continue to negotiate with the Indian States concerned as well as with the Bilaspur State with a view to execute their agreement. At the same time we are going to ask the special officer to explore the possibility of devising alternative schemes, so that in case the Indian States do not come to a reasonable agreement we might be able to devise a project by which only the British districts will be irrigated. We are going to explore this possibility. I hope the honourable member from Rohtak will be satisfied with the decision of Government in this respect.

Rao Bahadur Chaudhri Chhotu Ram: We are very thankful indeed to the Government for this reply.

THE PUNJAB MUNICIPAL (AMENDMENT) BILL.

Mr. S. L. Sale (Legal Remembrancer): Sir, I beg to present the report of the drafting sub-committee and also to move the following amendment recommended by that committee—

- (1) In sub-clause (iv) of clause 3 in the amendment to section 13 (a), between the word "public" and the word "whether" the word "and" should be inserted.
- (2) In clause 10, in the first line of sub-section (2) of section 24 as amended for the word "omit" the word "omits" should be substituted.
- (3) In clause 11, in the 4th line, for the word "word" occurring between "the" and "or" the word "words" should be substituted;
- (4) In clause 16, in the 6th line of sub-section (3) between the words "which" and the word "in" the word "is" should be inserted;
- (5) In the 7th line in the same sub-clause for the word "interests" the word "interest" should be substituted;
- (6) In clause 17, sub-clause (2) of section 38 as amended, in the 12th line, between the words "to" and "them" the words "him or" should be inserted;
- (7) In clause 23, in the first proviso as substituted, the words "under this section" occurring between "person" and "shall" shall be deleted and the same words inserted between the word "shall" and the word "be";
- (8) In clause 29, sub-clause (1), in the last line between the word "or" and the word "public" the word "other" should be inserted;
- (9) In clause 30, in sub-clause 6 of section 62, as amended, in the 11th line, for the word "togethers" the word "together" should be substituted;
- (10) In sub-clause (8) of the same clause, 5th line, for the word "it" the word "them" should be substituted;
- (11) In clause 89, in section 232 as amended, at the end of the 5th line from the end the word "a" should be inserted between the words "to" and the word "breach";
- (12) In clause 93, in section 240 as amended, in clause (zzz), in the last line, for the figures "199", the figures "190" should be substituted.

The motion was carried.

The Honourable Dr. Gokul Chand Narang: I beg to move—

That the Punjab Municipal (Amendment) Bill be passed.

The motion was carried.

The Council then adjourned till 2 p.m. on Tuesday, 11th April 1933.

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PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Tuesday, 11th April 1933.

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. F. B. Wace (Registrar, Co-operative Societies).

Mr. G. B. E. Abell (Deputy Registrar, Co-operative Societies).

STARRED QUESTIONS AND ANSWERS.

POSTING OF MUSLIM DEPUTY COMMISSIONERS TO GUJRAT DISTRICT.

***2450. Chaudhri Allah Dad Khan :** Will the Chief Secretary be pleased to state—

- (a) the names of the Muslim deputy commissioners who have been posted in Gujrat district since 1900 specifying the period for which each was posted there ;
- (b) if the reply to above is in the negative, the reasons why Muslim deputy commissioners were not posted in Gujrat district ;
- (c) the percentage of Muslims in the population of Gujrat district ;
- (d) whether it is not a fact that the percentage of Muslims in Gujrat district is the highest in the province ;
- (e) if the answer to (d) is in the negative, the names of the districts in which the percentage of Muslims in the population is higher ;
- (f) the percentage of Muslims in the population of the districts where that percentage is higher than that of Gujrat district if there are any such districts ?

Mr. C. C. Garbett : (a) There are none.

(b) The communal factor is normally the least important of the factors which are considered when postings are settled.

(c) Eighty-five per cent.

(d) No.

(e) Jhelum, Attock, Mianwali, Muzaffargarh and Dera Ghazi Khan.

(f) Eighty-nine per cent., 91 per cent., 86 per cent., 86 per cent. and 88 per cent.

ALIENATIONS OF LAND IN GUJRAT DISTRICT.

***2451. Chaudhri Allah Dad Khan :** Will the Honourable Member for Revenue be pleased to state—

(a) the number of alienations of agricultural land in Gujrat district in the following years respectively :—

1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932 and 1933

in respect of which the collector gave sanction that the land should be sold to non-agriculturists and the total area covered by the sales in each year, including the reasons in each case why the permission for the sale was given, specifying the total area in each year in respect of which permission was given for the same reason specifying the reason in each case ;

(b) what action the Government proposes to take in the matter ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) A statement is laid on the table. It is impracticable to give reasons for the alienations in question.

(b) The provisions of the Punjab Alienation of Land Act being adequate no further action appears to be necessary.

Statement showing the number of mutations of sale in favour of non-agriculturists by the agriculturists of the Gujrat district from the year 1922 to date.

Year.	Total number of mutations.	Area covered.		REMARKS.
		Ks.	Ms.	
1922	426	349	10	
1923	44	26	6	
1924	212	99	17	
1925	187	103	5	
1926	319	147	14	
1927	378	191	10	Area of 111 mutations is not at present available.
1928	233	93	15	
1929	348	22	3	This area is of 49 mutations only, and that of the rest is not at present available.
1930	333	169	16	The area covered by 156 mutations is not at present available.
1931	444	233	14	
1932	429	228	9	
1933	102	98	17	

Chaudhri Allah Dad Khan : The list shows that there is a good deal of land which has been alienated and the sanction of the Deputy Commissioner is opposed to the Alienation of Land Act.

The Honourable Captain Sardar Sir Sikander Hyat Khan : When the honourable member hears my answer to the next question he will be satisfied.

ALIENATION OF LAND IN MANDI BAHU-UD-DIN.

***2452. Chaudhri Allah Dad Khan :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that alienations of agricultural land took place in Mandi Baha-ud-Din in contravention of the Alienation of Land Act, 1900 ;
- (b) if the answer to (a) is in the affirmative, the time up to which these alienations went on taking place and the circumstances which led to orders being passed that mutations under such alienations should not be entered in future ;
- (c) whether any list of mutations which had taken place in contravention of the Alienation of Land Act was ordered to be prepared by Mr. Cuthbert King, I.C.S., when Deputy Commissioner of Gujrat district ;
- (d) whether it is a fact that a list was prepared in compliance with the orders of Mr. Cuthbert King by Raja Faiz Muhammad Khan, when tahsildar of Phalia, and what were the orders passed ;
- (e) whether the Government will place on the table of the House the list referred to in (d) ;
- (f) whether it is a fact that soon after Mr. Cuthbert King's transfer from Gujrat district the list mentioned in (d) was lost, and, if so, who was responsible for the loss and what action the Government proposes to take ;
- (g) if the list mentioned in (d) is not available, whether Government will cause a fresh list to be prepared and place it on the table of the House ;
- (h) whether any representations have been made to the Government about these illegal mutations, and, if so, what ;
- (i) what action the Government proposes to take about these representations and to restore the owners to their rights under the law ;
- (j) whether non-agriculturists still continue to buy agricultural land in Mandi Baha-ud-Din with impunity ;
- (k) if so, the number of cases in which mutations have been refused by revenue authorities on the ground that the sales contravened the provisions of the Alienation of Land Act, and the total of the areas in respect of which mutation of names was refused by revenue authorities on the ground that the sales contravened the provisions of the Alienation of Land Act ;

[Ch. Allah Dad Khan.]

(l) what action the Government proposes to take to put an end to such sales for the future ;

(m) whether the fact has been brought to the notice of the Government that suits by agriculturist pre-emptors for the pre-emption of sales mentioned in (k) were dismissed by civil courts on the ground that in virtue of section 23 of the Pre-emption Act the right of pre-emption does not exist in respect of sales of land in contravention of the Alienation of Land Act ;

(n) if the answer to (m) is in the affirmative, what action the Government proposes to take in the matter ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a)

Yes.

(b) (i) December 1924.

(ii) The local authorities made the mistake of thinking that land in a notified area was excluded from the operation of the Punjab Land Alienation Act by Punjab Government notification No. 16176, dated the 21st June, 1919.

(c), (d), (e) and (f) The file appears to have been lost and Government have no information. The Deputy Commissioner's attention has been drawn to the need of disciplinary action.

(g) A list is placed on the table.

(h) Yes, to the effect that the alienations should be set aside.

(i) The Collector has been reminded that under the operation of section 14 of the Punjab Alienation of Land Act, the transfers automatically take effect as usufructuary mortgages unless permanent alienation has been sanctioned, and he has been asked to make an enquiry into the loss of the file and report the result to Government.

(j) No.

(k) Government have no information.

(l) The provisions of the Punjab Alienation of Land Act are sufficient. Further action is not necessary.

(m) Government have no information.

(n) Whether sanction to permanent alienation is given or not there is no room for the intervention of Government.

List of mutations of village Pindi Baha-ud-Din sanctioned by the Revenue Officers without obtaining the sanction of the Deputy Commissioner.

Serial No. of mutation.	Name of vendor.	Name of vendee.	Area with kind of soil.	Sale money.	Date of acceptance of mutation.
				Rs. A. P.	
731	Jewan, Jat	Ladhe Ram, Khatri	17 kanals 16 marlas, barani	1,290 0 0	21st December 1921.
736	Jalu, etc., Jats	Ditto	20 kanals, nehri	2,600 0 0	2nd February 1922.
738	Hayat, Jat	Ladhe Ram, etc.	15 kanals 2 marlas, barani	2,000 0 0	26th March 1922.
820	Jalu, Jat	Hukam Chand	16 kanals, nehri	2,000 0 0	8th October 1922.
826	Haku, etc.	Sultan Ali, Rangrez	38 kanals, 4 marlas, chahi	5,000 0 0	29th August 1923.
845	Mohammad Din, Awan	Gian Singh, Arora	41 kanals, barani	5,000 0 0	25th January 1923.
898	Maulu, etc., Jat	Nand Lal, etc.	24 kanals, barani	2,500 0 0	29th September 1924.
980	Khuda Baksh, Jat	Nand Lal	15 kanals, 2 marlas, barani	2,000 0 0	30th April 1924.
1006	Khudu Baksh, Jat	Makhan Singh, Arora	11 kanals, 4 marlas, barani	1,500 0 0	28th September 1924.
1039	Jalu, Jat	Hukam Chand, Arora	11 kanals, 18 marlas, nehri	11,500 0 0	14th July 1924.
1041	Khuda Baksh, Jat	Charan Dass, Brahman	14 kanals, nehri and barani	3,000 0 0	7th June 1924.
1042	Bahawal, Jat	Narain Dass, Brahman	16 kanals, barani	1,800 0 0	28th September 1924.
1048	Khuda Baksh, Jat	Piara Mal, Arora	4 kanals, barani	600 0 0	Ditto.
1049	Ditto	Ditto	32 kanals, barani	3,000 0 0	7th December 1924.
1068	Wazir, Jat	Makhan Singh, Arora	11 kanals, 7 marlas, barani	1,500 0 0	
KADHANWALA.					
226	Niaz Shah, Syed	Ladhe Ram, etc., Khatri	12 kanals, barani	1,000 0 0	23rd May 1922.
233	Jewan, Jat	Devlet Ram, etc., Khatri	5 kanals, 2 marlas, barani	1,000 0 0	Ditto.
234	Khau, etc., Jat	Jai Ram Singh	3 kanals, barani	870 0 0	24th May 1922.
246	Ahman, Jat	Ladhe Ram, Khatri	9 kanals, 8 marlas, barani	900 0 0	10th January 1925.
247	Khau, Jat	Ladhi Chand, Khatri	5 kanals 9 marlas, barani	900 0 0	16th September 1922.
248	Ditto	Jairam Singh, Arora	3 kanals, barani	400 0 0	10th January 1925.
302	Nawab etc., Jat	Makhan Singh, Arora	10 marlas, barani	99 14 0	3rd August 1924.
303	Ditto	Ditto	Ditto	98 14 0	Ditto.
304, 305	Mt. Gaurhan, Jat	Ditto	1 kanal, barani	198 12 0	20th August 1924.

DISTRICT CANDIDATES OF DEPUTY COMMISSIONERS' OFFICES.

***2453. Rai Bahadur Lala Sewak Ram :** Will the Honourable Revenue Member kindly state—

- (a) whether it is a fact that district candidates of the deputy commissioners' offices have to undergo training as clerks for a number of years and have to wait like naib-tahsildar candidates for seven to ten years before confirmation ;
- (b) whether it is a fact that some of these candidates have officiated in appointments in their own line ;
- (c) whether it is a fact that exemption has been granted to naib-tahsildars from this 15 per cent. cut even though they have not officiated, but have been accepted before December 1930 ;
- (d) whether it is a fact that this exemption has been granted neither to candidates mentioned in (a) nor to those mentioned in (b) ;
- (e) the reasons for not granting this concession to these candidates of the deputy commissioners' offices ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Government are not in possession of the exact figures.

(b) and (c) Yes.

(d) No. The attention of the honourable member is invited to Punjab Government, Finance Department, letter No. 38631-Fin.—Genl., dated 7th December, 1932, a copy of which is placed on the table.

(e) Does not arise.

Copy of a letter No. 38631-(Fin.—Genl.), dated 7th December 1932 from the Secretary to Government, Punjab, Finance Department, to all Heads of Departments, Commissioners of Divisions, District and Sessions Judges, and Deputy Commissioners in the Punjab.

SUBJECT—*Reduction in rates of pay of future entrants to Government service.*

I am directed to refer to the orders contained in the correspondence resting with Punjab Government letter No. 28291 (Fin.—Genl.), dated the 16th September 1931, and to say that the Governor in Council acting with his Ministers has on further consideration decided that the orders regarding 15 per cent. cut should not apply to a Government servant who officiated in a post and reverted before 1st January 1931, and is re-appointed to the same post or cadre after 31st December 1930.

Copy of an endorsement No. 38632 (Fin.—Genl.), dated 7th December 1932, by the Deputy Secretary to Government, Punjab, Finance Department.

A copy is forwarded to the Accountant-General, Punjab, for information.

Copy forwarded to all Administrative Secretaries to Government, Punjab, for information in continuation of Finance Department, U.O. reference No. 3235, dated the 16th September 1932.

(Sd). A. D. GRINDAL,
Deputy Secretary to Government, Punjab,
Finance Department.

U.O. No. 3804-F, dated 7th December 1932.

UNSTARRED QUESTIONS AND ANSWERS.

COMPENSATION FOR LAND ACQUIRED FOR WESTERN JUMNA DRAIN.

659. Chaudhri Ram Sarup : Will the Honourable Revenue Member kindly state—

- (a) whether land was acquired for the Western Jumna Drain and out fall in the estate of Bahadur Garh, district Rohtak ;
- (b) if the answer to (a) is in the affirmative, when that land was acquired ;
- (c) whether any compensation has so far been paid to the owners, whose land was acquired ;
- (d) if the answer to (c) is in the negative, the causes for this delay, and when it is expected to pay the compensation due to owners ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The information required has been called for from the local officers, and will be supplied to the honourable member when received.

CIVIL HOSPITAL FOR LUDHIANA.

660. Mr. Tek Chand : Will the Honourable Minister for Education please state—

- (a) whether it is a fact that a civil hospital is going to be built at Ludhiana on the grounds where Dusehra fair is held every year ;
- (b) whether any representation against this proposal has been received from the residents of Ludhiana ? If the reply to the above is in the affirmative, will the Government be pleased to state as to what action has been taken on it ;
- (c) whether it is not a fact that the locality proposed for the new hospital is used as a play-ground and for holding annual fairs by the Ludhiana public ;
- (d) if the reply to the above is in the affirmative, whether the Government is prepared to select another site for building the hospital ?

The Honourable Malik Sir Firoz Khan Noon : The honourable member is referred to my reply given to starred question No. 96¹ asked in March 1931. No site has yet been selected for the building of the hospital.

CATTLE FAIR OF CHET CHAUDAS.

661. Mr. Tek Chand : Will the Honourable Minister for Agriculture please state—

- (a) if a memorial by the residents of Ludhiana was submitted to the Local Government through the Deputy Commissioner on 21st December 1929, requesting that the cattle fair of Chet Chaudas be prohibited ;
- (b) if so, what action has been taken on that ?

The Honourable Sardar Sir Jogendra Singh : I regret the reply to this question is not yet ready. It will be supplied to the honourable member when ready.

ACTION TAKEN ON CIVIL JUSTICE COMMITTEE REPORT.

662. Mr. Tek Chand : Will the Honourable Finance Member be pleased to state—

- (a) if a committee called the Civil Justice Committee was appointed and had submitted its report in 1924-25 ;
- (b) if the reply to the above is in the affirmative, whether the Government will be pleased to state as to what action has been taken on that ?

The Honourable Sir Henry Craik : The honourable member is referred to the answer given to starred question No. 98¹ asked by Rai Bahadur Lala Mohan Lal in the Punjab Legislative Council on the 2nd March 1931.

ACTION TAKEN ON THE REPORT OF THE ROYAL COMMISSION ON AGRICULTURE.

663. Mr. Tek Chand : Will the Honourable Minister for Agriculture be pleased to state as to what action has been taken in the Punjab on the report of the Royal Commission on Agriculture ?

The Honourable Sardar Sir Jogendra Singh : A statement is laid on the table.²

USE OF FORCE BY POLICE.

664. Mr. Tek Chand : Will the Honourable Finance Member be pleased to state in what districts in the Punjab since April 1930 the police has had occasion to use force and dates on which force was used to disperse the Congress meetings, public meetings and other crowds ?

The Honourable Sir Henry Craik : For the period antecedent to November 1931 the honourable member is referred to the reply given to Council question No. 100³, answered on November 26th, 1931, and asked by the honourable member's predecessor. Since that date the answer is once in the Sialkot district on the 26th June, 1932, against an unauthorised procession.

RURAL INDEBTEDNESS.

DISCUSSION OF REPORT.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural) (Urdu) : Sir, I beg to move—

That the report of the Rural Indebtedness Enquiry Committee be discussed by the Council.

¹Volume XVIII, page 215.

²Placed in the Council Library.

³Vol. XX, pages 2-3.

Before the honourable members of the House rise to express their views on the subject, I wish to make a few observations which I am sure will lead to an instructive discussion of this very important question.

It is hardly necessary for me to inform the House that the Government is now considering the report, and will in the near future take some action on it. Consequently, whatever the honourable members may be pleased to say by way of supplement to the report or improvement upon the recommendations contained therein, will, I am sure, be of value for the Government, and will help her in arriving at a suitable conclusion. It is therefore essential that the honourable members should not only confine their remarks to describe the pitiable lot of the zamindars, but they should suggest such remedies which in their opinion should be and can be adopted to ameliorate their condition, and by which this heavy burden of their debt can be lightened. In discussing the report the honourable members will also bear this in mind that, according to the terms of reference, namely :—

To examine the recommendations relating to the relief of indebtedness made by the Royal Commission on Agriculture, the Royal Commission on Labour and the various banking enquiry committees and other recommendations that may be laid before them on this subject, and to submit proposals to the Punjab Government in connection therewith

the scope of the labours of the committee was very much restricted, and that it could not go beyond examining the recommendations made by two Royal Commissions and various banking enquiry committees. Although I have not risen to apportion blame, I cannot refrain from saying in this connection that the honourable members of the House as well as the public have seriously failed to render assistance to the committee by making any valuable suggestion. As the honourable members will be aware we invited through the press and otherwise proposals and suggestions on this problem from the members of the House in particular and from the public in general. But I am sorry to observe that no response came from any quarter. It appeared to us that this question had not evoked any interest anywhere. One or two public men, of course, expressed their desire to appear before the committee, but they failed to send any proposal for our examination. These are some of the difficulties which seriously hampered our work, and I hope the honourable members will not lose sight of them when offering their criticism on this report. May I also request the honourable members to refrain from saying unpleasant things with regard to the much-maligned class of *sahukars* in the course of their speeches ?

Chaudhri Allah Dad Khan : Under what rule is the honourable member authorised to indicate the lines of conduct to us ? (*Laughter*).

Khan Bahadur Sardar Habib Ullah : They are after all our countrymen and they will continue to live side by side with us. No doubt a good deal of odium attaches to them and to their profession, but on that account we should not fail to give them their due. It is the duty of the State to protect them. We should rather try to raise their status and position in the eyes of the public and not condemn them indiscriminately. I hope these few points will be kept in view during the discussion of the report. With these words I move the motion standing in my name.

Chaudhri Allah Dad Khan : I beg to move that at the end of the motion the following be added :

And resolved that in the opinion of this Council the report is unsatisfactory, and that this Council requests the Local Government to accept it with modifications of the following proposals contained in it, among others—

This report which has just been presented to us was awaited for a long time.

Khan Bahadur Sardar Habib Ullah : On a point of order. May I know if this motion is in order. The motion moved is to discuss the report of the Rural Indebtedness Enquiry Committee and not to consider it. The honourable member is not in order to move an amendment to that motion suggesting new lines and certain additions and omissions.

The Honourable Captain Sardar Sir Sikander Hyat Khan : May I also point out that the honourable member from Ambala was not correct when he said that the report had just now been presented. No presentation was necessary. The motion on the agenda is that the report be discussed. It is not a report by a committee of this House, and there is no motion for its adoption or consideration. Therefore I agree with the honourable member who moved the original motion that the amendment is out of order, and I trust you will rule accordingly.

Chaudhri Allah Dad Khan : Sir,—

Mr. President : I disallow discussion on a point of order. The honourable member's motion is out of order, but he can speak on the original motion.

Chaudhri Allah Dad Khan : It is the same thing. I only put it as a definite motion in order that the arguments may be confined to those points.

Mr. President : The honourable member is welcome to bring all those points in his arguments.

The question is—

. That the Report of the Rural Indebtedness Enquiry Committee be discussed by the Council.

The motion was carried.

Khan Bahadur Mian Muhammad Hayat Qureshi (Shahpur West, Muhammadan, Rural) (*Urdu*) : Sir, I must congratulate and express my gratefulness to the members of the Rural Indebtedness Committee for their labours spent in going through this question and preparing this report. I must also say, though with some reluctance, that the report of this committee is not very satisfactory. The recommendations made by this committee fall very short of our expectations, and even if they are adopted they will not meet the situation. The committee, for example, has recommended that a Petty Insolvency Act may be passed thereby providing that the lands of the small holders may be alienated temporarily for a term not exceeding seven years. So far so good. But in this connection it has also been recommended that the lands of the small holders may also be sold in liquidation of their debts to the zamindars, and also to the non-zamindars with the permission of the collectors in case there is no zamindar who is willing to purchase such land. Now, this is clearly a recommendation which is

against the spirit of the Land Alienation Act and, if acted upon, it is sure to raise a storm of protest from all sections of the people who have the interest of the province at their heart. I am aware that the honourable Khan Bahadur Sardar Habib Ullah, who was a member of the committee did not agree to this recommendation of the committee, but that was not an effective way of opposing this recommendation. I wish that all the zamindar members of the committee had strongly protested against such a recommendation being made. They should have attached a strong note of dissent to the report on this point. There is yet another defect in this recommendation which appears to me to be very serious. According to the present Insolvency Act it has been provided that when alienating temporarily the land of a zamindar in liquidation of his debts a few acres of land must be allowed to remain with the zamindar on the income of which he should be able to maintain himself and his family. But according to the recommendation of the committee no part of the land of a small holder will be allowed to remain with him for his maintenance. Therefore, I will not be wrong in saying that this recommendation instead of doing any good to the zamindars will cause a good deal of harm to them. In this connection the committee has expressed its opinion that if this part of its report is adopted nearly 80 per cent. of the debts of the zamindars will be cleared. But it should have also borne in mind that by adopting this part of the report 80 per cent. of the lands of the zamindars will pass into the hands of non-zamindars, and that is a thing which nobody can look upon with favour. It is on account of this reason that a hue and cry was raised in this House as well as outside it on a judgment of the High Court which was afterwards set aside by a full bench of that Court. The Government will, therefore, be well advised to delete that portion of the recommendation of the committee which allows the sale of the lands of the small holders, and which makes no provision for the maintenance of the debtor. This recommendation, I need hardly say, cannot benefit the zamindars in any way to improve whose lot this committee was appointed.

Then I have serious doubts as to the utility of the recommendation contained in paragraph 14 (1) of the report. It is good that according to this recommendation insolvency is proposed to be put within the reach of all those debtors whose debts amount to Rs. 100. But to limit such debts to Rs. 500 is not a sound policy, and such a restriction, if recognised, would cause great hardship. Even according to the present Insolvency Act no such limit has been fixed, and I wonder why the committee thought of introducing this change for the worse. I would also like to see part (5) of this paragraph deleted from the report because it is also against the interests of the zamindars.

Among other points discussed by the committee the question of the appointment of a conciliation board has also been touched. But it appears that it has been considered in a cursory manner, and that it has not been paid the attention it deserved by the committee. I am of opinion that the conciliation boards, if established would go a long way to improve the situation. They will prove very useful both to the debtors and the creditors. It goes without saying that the boards will settle the disputes among the debtors and creditors more easily and more expeditiously, and I think it will not be difficult to enforce their decisions after they are recognised by

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the courts in the form of decrees just as the decisions of arbitrators are recognised and enforced.

I congratulate the committee for having recommended that instead of compound interest simple interest should be allowed to the creditors on loans advanced by them. But in this connection I may be permitted to say that this provision will not prove very effective unless and until some permanent checks are proposed to make it impossible for the money-lenders to manipulate the figures of accounts. It is an open secret that in almost all cases debtors having no power to oppose the wishes of their creditors agree to the *sahukar's* proposal for entering old debts as new debts in the account books every time that they are called upon to renew their debts. These new debts of course include both the principle and interest. Consequently the proposal to allow simple interest cannot benefit the zamindars unless steps are taken to prevent the *sahukars* from dictating their terms to their debtors. I would suggest in this connection that all creditors should be compelled to take licences before they are allowed to adopt money lending as their profession. This provision is not novel or unheard of. It exists in civilised countries like England which the Honourable Minister for Local Self-Government pointed to us as a model and as something to be followed when he insisted on the passage of the Municipal Amendment Bill. I would therefore like that Government should make it imperative for the creditors to take such licences. This suggestion, if acted upon, will to a great extent check the creditors from dealing unfairly with their debtors and consequently help very much in improving the situation. You will be perhaps surprised to learn that in villages which I own and in a few other villages where I happen to have some influence there is no money-lender who has ever been obliged to seek the help of a court for the realisation of his money advanced to the zamindars. I am proud to say that no money suit has ever been filed from any of these villages. And I may tell you that it is not because that zamindars in these villages are comparatively well off or that *sahukars* forego their right to realise their money. The reason of these good relations is that the *sahukars* who have been advised and warned beforehand deal fairly and honestly with their debtors, and the debtors not feeling themselves to be an aggrieved party willingly try to pay their debts. This fair and honest dealing must come into existence before we can hope to improve the situation and to this reform we should devote our greatest attention.

The committee has also recommended that any rate of interest exceeding 37 per cent. and not 48 per cent. should be considered as excessive, and should come under the operation of the Usurious Loans Act. But I consider this rate to be too much. I think that all rates of interest exceeding 12 per cent. should be considered as excessive, as has been ruled by the ruler of the Kapurthala State. If a Hindu Raja can see the wisdom of such a wholesome provision I wonder why our Government should hesitate in acting in a similar manner. In any case the limit of the rate of interest should not go beyond 12 per cent.

Then, Sir, the Ceylon Government in order to put a stop to the possibility of all quarrels in the future have passed an Act by which receiving

of more money than is due to the creditor has been made a crime and penalised. The committee have recommended that such an Act may also be passed here in the Punjab. I submit that such an act is very necessary, and the recommendation of the committee in this behalf may be adopted.

In the end Sir, I feel that I have been able to put only a few facts before the House, and I therefore hope that other honourable members will discuss this matter more comprehensively and more thoroughly than I have done.

Khan Bahadur Shaikh Din Muhammad (East and West Central Towns, Muhammadan, Urban): I would not hesitate to join the honourable member from Shahpur in appreciating the labours of the Rural Indebtedness Committee, but I am compelled to remark that their recommendations are very timid. Throughout the report the fear of the money-lender is visible. And the honourable mover of this resolution has betrayed that even the representatives of the debtors had a very high regard for this class of people who preyed upon other people's pockets. The members of the committee appear to have been impressed by the gravity of the situation. They realised that the figure of indebtedness was appalling. But in spite of that, when they actually started constructive work of making proposals or suggesting ways and means as to how to combat the situation, they did not at all acquit themselves in a manner deserving of congratulation. The representatives of the money-lender class were very firm in their position, and the representatives of the capitalist Government joined hands with them. And once more there was a combination of riches to crush poverty.

The two problems that were before the committee were those of 'immediate relief' and 'future protection.' The committee was of the opinion that according to the latest statistics the debt of the province exceeded Rs. 135 crores. This represents roughly twelve times the annual revenues of the province and calculated at an average rate charged at present, the interest alone would be at least twice our annual receipts. Now, so far as the immediate relief was concerned, the committee approved of the suggestion of the Royal Commission on Labour that they should introduce a sort of simplified insolvency in the province. The Royal Commission on Labour while dealing with the case of industrial labour had, however, set forth that in introducing this simplified procedure for insolvency, due regard should be paid to the question of the labourer's maintenance and not only his, but his family's maintenance as well. They had suggested that a decree should be passed after taking into consideration the assets of the labourer, his debts and also his probable earnings and reasonable expenditure for the maintenance of himself and his family during the ensuing two years. The court having assessed these, would then issue a decree based on the difference between the two sums. But while formulating their recommendations in the shape of the rural insolvency Bill that the committee proposed to enact in the province, they have done away with one stroke of the pen all those protections and privileges which the agriculturists had enjoyed ever since the advent of the British rule in India. They recommend that besides the privileges that were available to the agriculturists debtors under section 60 of the Civil Procedure Code, they should not be entitled to any

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other concessions which were granted to them by the revenue authorities on the basis of the notifications of the Financial Commissioners. Those concessions were based on humane considerations. The collector was enjoined to see that only such land should be temporarily alienated as may be in excess of what a judgment-debtor who depends entirely or mainly on his land requires for the reasonable support of himself and those immediately dependent on him. The committee has recommended that this concession should be taken away from the agriculturists. They had two alternatives before them : either the agriculturists should remain in a permanent bondage or he must escape from the burden of debt. And they chose the second alternative. The remedy that the committee have suggested is just like the one that is prescribed by quack physicians in the case of dangerous diseases. They consider death as the surest, the speediest and the safest cure for all painful ailments. The honourable members of the committee in spite of the fact that they were assisted by Mr. Abell as secretary were not able to evolve anything which should deserve our commendation. Complete annihilation of the agriculturists cannot be called a satisfactory remedy for indebtedness, and it is the complete annihilation of the agriculturists that has been suggested. (*The Honourable Sardar Sir Jogendra Singh* : How ?) If the Honourable Minister would only wait, he would, I am sure, be convinced. The committee remark that if their recommendations regarding the enactment of the rural insolvency Bill were accepted, 80 per cent. of the entire agricultural population would be brought within its purview. This is on page 3, paragraph 10 of their report. If the rural insolvency Bill covers the case of 80 per cent. of the agriculturists and we permit the sale of the entire holdings that those agriculturists possess in liquidation of their debts, the result would be that 80 per cent. of the population would be paupers in twenty years' time. They would be landless ; they would be homeless ; they would be driven to hunger and starvation and be effaced from the surface of the earth. The Honourable Minister for Agriculture does not appear to have read the report thoroughly. He is under the impression that the only recommendation that has been made in this connection is the reduction of the period of temporary alienation from 20 years to 7 years. But this is not so. If he would only care to read page 4, paragraph 13, last four lines, he would be pleased to see that the majority of the honourable members of the committee has expressed its determination to go further than this and to permit the sale of the land of agriculturists adjudicated insolvents under these proceedings to the members of the same group or, with the sanction of the collector, even to others. This is tantamount to doing away with the Land Alienation Act in an indirect manner. In the present state of affairs, under the stress of the present economic conditions, the agriculturists are not in a position to purchase further lands. They can hardly maintain their own, and if this rural insolvency Bill is enacted into law and if non-agriculturists are also permitted to go in for the land of the agriculturists, the same thing would happen which was happening before 1901 when those benevolent administrators, who are responsible for the building of the British Empire in India, were moved and their efforts resulted in the enactment of the Land Alienation Act. When you allow the

sale of the entire agricultural holding that the debtor possesses, you in a way pass the decree of death against him, and if at some future time the suggestions about joint electorates materialise, you will see the tables will have been turned on the rural classes. I am really surprised to see how two out of the three representatives of the rural classes had subscribed to their own death warrant.

Another recommendation that has been incorporated in connection with this rural insolvency Bill is that all that sort of protection that was available to an agriculturist on the basis of the property being ancestral shall also be removed. On page 4, paragraph 14, sub-section 5, says—

Any protection enjoyed by ancestral property for liability for debts of a previous owner should be withdrawn, and any alienation in insolvency proceedings—

this is important—

should continue after the death of the insolvent without the possibility of challenge by the reversioners. These provisions the majority consider essential in order to prevent objections and disputes and to secure fair dealings to the creditors.

This is the recommendation made by the majority. Honourable members of this House are aware that in the existing state of the law of the land, no agricultural holding possessed by any agriculturist which is not specifically charged or encumbered is liable to be burdened with his personal debts, and, further, all his reversioners, his sons, his grandsons, even his remote collaterals are entitled to challenge his conduct in connection with the land, and when once he dies, his land becomes altogether immune from the burden of any personal debts that he might have raised, of whatever amount they might be. This is the present law of the land. But like the Kabuli money-lender who pursues his debtor even up to the grave, the members of the committee have come forward with a recommendation that even death should not make the land immune, and that the insolvents' court and the creditor should be permitted to pursue the land even in the hands of the deceased debtor's successors, whoever they might be. This again is a recommendation on which the members of the committee cannot at all be congratulated. Under the existing circumstances a debtor of the agricultural class is far more protected than he would be under the recommendations of the enquiry committee. Supposing he refuses to repay his loans, the utmost that the money-lender can do now is to send him to jail for six months for which he has to pay diet money in advance. The members of the committee have themselves referred to the unwillingness of the creditors to take recourse to this method; and it is only too true that most of the money-lenders do not wish to risk the diet money also along with the money that has been already lost, and they do not take proceedings which might send the debtor to jail. Now, if he is once immune from the risks of civil jail, there is no power vested by the law of the land in the creditor to realise any amount from him unless the debtor chooses to repay the loan. The debtor, therefore, can thwart and baffle his creditors in any way he likes. But, the committee that was appointed to suggest ways and means to relieve the agricultural debtor from the burden under which he is suffering recommend that all those concessions that he enjoyed beforehand and all those privileges that he was in possession of, should be scored out at once. I wonder how the honourable members of the committee could have the heart to make this recommendation.

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It is no doubt true that their reference, as has been remarked by the honourable mover, was limited. They were, however, expected to express their opinion as to the practicability of the suggestions made by the Royal Commission on Labour. This Commission, as I have already informed the House, had clearly suggested that any debtor who was to be dealt with under the provisions of simplified insolvency shall have to be ensured of his maintenance for two years at least. But in spite of this, the recommendation that has been made by the Enquiry Committee does away with this safeguard. I was surprised to see that this taking away of the time-honoured protection from the ancestral property was voted, as it appears from the report, by the two representatives of the Government, the two representatives of the money-lenders and also by another gentleman whose solicitude for the rural classes has been proclaimed so often, but does not stand proved in this report. I wonder how the honourable members of Government felt themselves justified in supporting a recommendation which contemplated the upsetting of all the traditional privileges of the agricultural classes. This protection which is at present enjoyed by the ancestral property is not a gift to the agricultural classes from the present government. It proceeds from the old system of the tenure of land in the Punjab. It is based on an ancient custom, which provides that any person who succeeds to the property of the last owner does not succeed as his heir, but as the descendant of the common ancestor who had originally acquired it. Now, if this be so, how did the Enquiry Committee consider itself justified in making a recommendation which tended to upset that traditional privilege that the ancestral property enjoyed? How can any committee interfere with the ancient customs of the people in such a summary manner. This part of the report therefore, is one to which I would object with all the emphasis at my command. There cannot possibly be any justification for these recommendations that have been apparently made in order to meet the urgent need of immediate relief.

Now, supposing these recommendations are passed into law, what immediate relief will the Punjab Government give to the agricultural debtor? How will they wash away this appalling figure of more than 135 crores, if not, as already submitted before the House, by completely annihilating 80 per cent. of the agricultural population? That would be the only way available. Their entire lands will be sold. All those agricultural debtors who hold less than ten acres of land would be entirely denuded of their landed property, and I dare say that even then it would not be possible to wash away the debt that is outstanding against the rural classes.

There is another reason why I urge that the members of the committee were not well-advised to make these recommendations. On the very first page of the report they have themselves stated that the only way to control indebtedness is either to regularise the transactions of loans or to deliberately curtail the credit of the debtor. When once they realised this position, how did they feel justified in making the two recommendations that I have referred to above? These were the two limitations which clearly proclaimed that the credit of the debtor was very much limited. The money-lender ran the risk of losing his money first because the land could not be sold; and, secondly, because the ancestral land did not belong to the borrower

himself, but to his ancestor and through the common ancestor to all his reversioners who were entitled to succeed to his estate. This, therefore, was a clear and deliberate curtailment of the credit of the debtor. When once the committee realised that that was the only way in which the indebtedness could be effectively controlled, how in the same breath could they remove the two means of curtailment that already existed? And they have not been able to suggest any further method of curtailment of the debtor's credit. Have they not been inconsistent in this respect? Are their recommendations not self-contradictory?

The second question that was before the committee was the question of the future protection. In connection with this aspect of the case, I no doubt appreciate their suggestion that the money-lenders should be licensed and registered. But the other recommendations that they have made do not come up to the mark and should not satisfy the House. They appear to have been labouring under the impression that the interference by the State would be quite uncalled for, as the question of loan is a private matter. Sir, I am not a false alarmist nor am I a false intimidator, but as a student of history I warn the administrators of the province that if this state of affairs is allowed to continue, a time will come when these persons who are sinking under the burden of this heavy debt, feeling the Government quite unable or unwilling to protect them would gird up their loins to protect themselves with their own hands. This has happened in all the other countries of the world, and it is bound to happen here too. The question of the security and safety of each and every member of the community is the concern of the State. It cannot at all be brushed aside simply because it is a private matter. There are indications even in the present legislation that the State interferes whenever circumstances do require such intervention. In the matter of civil law, State interference is provided for in cases of coercion, undue influence, or intimidation. Similarly in the domain of criminal law the State protects one individual against blackmailing by another individual. What more serious, what graver situation can there be than this to justify State intervention when people are hard pressed, when they are unable to hold their own, when they are actually anticipating a time when they will either have to take up cudgels to protect themselves or to die a beggar's death? In these circumstances, it is the most urgent demand upon the State to evolve measures which would avoid this evil day.

The Usurious Loans Act, no doubt, provides for interference by the judicial courts if the interest is excessive or if the transaction is substantially unfair; but the Usurious Loans Act has not given any relief whatsoever to the persons for whom it was intended to be enacted. (*Hear, hear*). In this connection also the honourable members of the committee have been most inconsistent. In the one place they remark that they do not wish to suggest any new legislation, because the Usurious Loans Act goes far enough. This is on page 10. And on page 13 they admit the justice of these remarks of the Royal Commission on Agriculture—

The evidence which we received showed conclusively that the Act is practically a dead letter in all provinces.

They have even quoted reasons why the Usurious Loans Act has become a dead letter. Now section 3 of the Usurious Loans Act provides that if

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interest is excessive or if a transaction is substantially unfair the court may re-open the transaction. But not even one instance can be cited during the last fourteen years when this Act has been actually brought into play here. There have been cases where the interest charged was excessive; there have been cases where the transactions were substantially unfair. But as the matter rests in the discretion of the judicial courts, they consider themselves at liberty to hold that a rate of interest which may go up to 75 per cent. even is not excessive in the special circumstances of the case, and that a transaction which actually takes away all that a debtor possesses is not an unfair transaction. It is within the sweet will and pleasure of the court to adjudicate upon this matter, and an appellate court seldom interferes in the exercise of this discretion, as the law of the land lays down that the discretion of a court once exercised should not be interfered with as a matter of course.

In these circumstances it was incumbent upon the committee to find out means and make constructive proposal in order to meet the present situation. What have they done? 3 P.M. They hold that 37½ per cent. should be considered a reasonable rate of interest, i.e., more than one-third of the loan that has been raised must be paid by way of interest to the creditor every year. This is the protection they grant to the debtors. Everyone of us knows that when Government has to raise loans in these days they do not notify more than 4 per cent. or 4½ per cent., but in the matter of the agricultural labourers and poor classes, the members of the Government consider that 37.5 per cent. would be a reasonable amount. Imagine the hard-heartedness of these proposals! A minority recommended as much as 24 per cent. or 25 per cent. and still the majority did not agree. The honourable mover asked for constructive suggestions. May I ask him, why we should go beyond the limit of 12 per cent. at all? A borrower is as much entitled to your protection as a member of the money-lending classes is. If a money-lender gets substantial compensation or a decent amount by way of damages for the use of his money by others, let him feel satisfied. When we are convinced that the agricultural classes have been sinking under this heavy burden simply on account of the excessiveness of interest, it is our prime duty to interfere by means of legislation and we should feel no hesitation in enacting that no money-lender would be entitled to any rate of interest beyond 12 per cent. under any circumstances. Sir, this would not be a unique or an extraordinary piece of legislation. The honourable members of the House would be pleased to remember that even in the days of Mannu, usury was suppressed by means of direct legislation, and such laws have been enacted ever since. Here the representatives of the capitalist classes happen to be our administrators, and they have a commercial mentality. They belong to a country which is very rich, and where everybody is the worshipper of Mammon, and they think that the same conditions prevail here. But they are mistaken. The members of the Government should have realised that they were dealing with a country which is extremely poor as compared with the affluent country from which they hail, and what might prove good for an Englishman would not do for an Indian. Before making their recommendations they should have taken into account the

miserable condition under which we are living at the present moment. I record a strong protest against the conduct of the two official members of the committee who joined hands with the representatives of the money-lending classes and entirely disregarded the interest of the rural classes. The British administrators are here to protect the weak against the strong. They are not here to help the strong against the weak and if they do so, they betray that sacred trust for which they are here. The number of capitalists in the world is very small. In India it is still smaller. It is the teeming millions who are not in possession even of a daily morsel who want protection at the hands of our administrators and this House would be failing in the discharge of its duty if it does not bring pressure upon the Government to enact a measure which would effectively curtail the powers of the money-lender to realise any sum by way of interest beyond 12 per cent.

Another strange proposal has been made by the honourable members of the committee, and that too is bound to defeat the object they were expected to keep in view. They were called upon to solve "the acute problem" as they themselves described it, of the existing indebtedness, and while they propose that the interest which goes beyond 37·5 per cent. should be considered excessive they hasten to add that they do not consider it proper that its effect should be retrospective. If its effect is not allowed to be retrospective, how can you lessen the existing burden. If the money-lender is to be permitted to realise more than 135 crores from the agricultural classes, then what is the solution you put forward before the province and before this House to meet the grave situation that exists. I may point out here that the majority of officials-cum-money-lenders was assisted in this case by the representatives of the rural classes themselves. All unanimously say—

We also wish to add that the prohibitive rate of compound interest and the amendment of the Usurious Loans Act making the rate of 37·5 per cent. as excessive should have no retrospective effect.

What a sane proposal to make ! I may be excused if I am compelled to say that the honourable members of the committee who belonged to the rural classes did not realise their responsibility, and did not understand what they were subscribing to when they signed the report. They first as a minority recommended 24 per cent. or 25 per cent. as against the majority proposal of 37·5 per cent., and then they concurred with their colleagues to defer the application of the majority proposal to future loans. This was done obviously on the ground which has been put forward by the honourable mover that after all the money-lender was also our countryman and should be protected. But so is every robber our countryman, and so is every murderer our countryman. Has any appeal ever been made on their behalf by any reasonable person that they should also be protected. (*An honourable member* : But they are protected). They are no doubt protected to a certain extent, but that is the only protection that they deserve. They are only entitled to a fair adjudication of their case, and no more. They are not entitled to privileges which are not deserved by an offender. Similarly if you once fairly deal with a creditor, if you allow him an adequate return for the amount that he has advanced to a fellow human being who was hard-pressed to raise a loan, you have done him ample service. Why

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then should you join hands with him to rob the poor of his small pittance? Why should you make a common cause with the capitalist and lend him your support to make his position still more secure and strong? That is the problem. I do not deny protection to anybody in the world. Everybody is entitled to protection but protection within limits, protection which does not unprotect others and expose them to eternal slavery or death. Look at Ceylon. Far more reasonable, far more humane are the provisions made by the Ceylon Government. They were also dealing with the Ceylonese. The creditors were the Ceylonese and the debtors were the Ceylonese. But see how they have interfered in the matter of interest. On page xxi, Appendix E, section 4, sub-section (2) enacts that any rate of interest charged above the following rates, that is to say, in the case of loans of an amount up to and including one hundred rupees, twenty per centum per annum; in the case of loans over one hundred rupees and up to and including two thousand five hundred rupees, eighteen per centum per annum; and in the case of loans over two thousand five hundred rupees, fifteen per centum per annum, shall be deemed to be unreasonable. This enactment was before the members of the committee when they were drafting their own report. They have attached it with their report as an appendix and still they have not had the courage to say that if they could not go lower, they would not exceed the limits laid down by the Ceylonese Government. I daresay that the condition of indebtedness in Ceylon is not as bad as it is here. This unequivocally demonstrates that there is a right vested in the State to interfere with such private transactions. Further on in section 5 the Ceylon Act lays down—

In taking the account under section 2, the court shall observe the rule that no interest shall at any time be recoverable to an amount in excess of the sum then due as principal.

In this respect also the honourable members of the committee felt shy of making any such suggestions. The Ceylonese Government were wise enough to incorporate this provision in their legislation, but the opinion of our committee on this point was as follows: (Please refer to page 12, paragraph 37):—

A traditional Indian method of preventing the accumulations of large arrears of interest is that called *damdapat* by which whenever the court finds that the interest due exceeds the principal due, only twice the amount of the principal can be decreed. This law of *damdapat* is enacted in the Ceylon Ordinance of 1918, but we do not think that it is necessary to combine such provisions with the abolition of compound interest.

They were appointed to consider the question of indebtedness from the point of view of debtors, but they have all along considered it from the point of view of creditors. They have not properly realised their function; they have misjudged the reference that was made to them, and on this ground will it not be fair to hold that this report has not been properly submitted to the House at all, and that some other committee should sit to inquire into the problem of indebtedness from the true point of view, and properly do what was expected from the members of this inquiry committee whose report is in our hands to-day?

There are several other matters which have been introduced by the members of the inquiry committee in their report, but they are not so important as to be discussed at any great length. They do not,

one way or the other, affect materially the question of indebtedness. I shall however refer to one more proposal only, that relates to the constitution of the conciliation boards. Their proposal is very sound that such boards should be constituted throughout the province, but what I regret is that the committee has not attached as much sanctity to their decisions as was expected of them. These boards will act as arbitration courts, and will be empowered to determine the amount of loans, and if any creditor did not agree to their award, his loan will stand certified. In the case of such certified loans all other provinces that have instituted conciliation boards have laid down that they would not be realisable from the debtor in the case of disagreement by the creditor until and unless all other debts that he owes have been paid up. But the honourable members of the Punjab committee do not agree with such provisions. Even if a debt is certified and the creditor does not agree to the decision of the board, they would again throw it into the hotch-potch and would make it realisable as any other debt. All those beneficial provisions that have been elsewhere enacted in the interest of the debtor, in the Punjab, have been twisted in favour of the creditor.

On these grounds I submit that we cannot accept this report as it is. I would therefore most strongly urge that we should again move the Punjab Government to constitute a committee of enquiry into the indebtedness of the province. If this proposition is not tackled in a statesmanlike manner it would assume dimensions which would prove most dangerous. I would appeal to all the members of the House, officials as well as non-officials, that they must face the problem in a courageous manner. They should try to give real relief to the poorer classes who constitute the bulk of the population in the province, and for the mere benefit of a handful of people who are known as money-lenders they should not risk the security and the safety of the province in future. (*Applause*).

Pir Akbar Ali (Ferozepore, Muhammadan, Rural), (*Urdu*): Sir, I must confess that I cannot endorse the views of the two honourable speakers who have preceded me. I am of the opinion that the report of the Rural Indebtedness Committee is far better than any such report published during the eighteenth, nineteenth, or even twentieth century. The compilers of this report deserve our sincerest gratitude, nay, our heart-felt adoration. No encomiums most liberally bestowed can do full justice to the authors of the report. The report has been drafted by the representatives of *sahukars*, and naturally adequate provision has been made for safeguarding their interests. Since the debtor classes did not find adequate representation on the personnel of the committee it was equally natural that their interests should have been ruthlessly neglected. It is generally pointed out by many of our honourable friends that the National Unionist Party is in a majority in the Council but of what avail is this majority, I ask, this majority of the zamindars when they are not given sufficient representation in the committees which are appointed to deliberate on matters chiefly concerned with the agriculturist interests? It is really a pity that members of the same classes were appointed to serve on the Rural Indebtedness Committee whose main desire is to buy the whole of the land which is in the possession of the agriculturists. These classes view the presence of the Land Alienation Act on the Statute Book with the greatest disgust. But for this Act they would

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have deprived the entire agriculturist population of the province of their landed property. The object of appointing this committee was to devise means to remove the burden of indebtedness from the shoulders of the zamindars, but the committee has made such proposals which, if adopted, will strengthen the hold of the *sahukar* on the helpless and hapless agriculturist. In the first sentence the object of this report is stated to be the desire to see the condition of the agriculturist ameliorated, but after that nothing occurs in the report to convince us of the sincerity of the compilers of the report. What they seem to have in view is to deprive the poor zamindar of the scanty protection enjoyed by him under the present law. The Financial Commissioners, for instance, have made a rule which enjoins that some subsistence should be allowed to the judgment-debtor at the time of attachment. But the committee have recommended the withdrawal of this protection. The Financial Commissioners have to deal directly with the zamindars and they know it fully well that it is the agriculturists who are the main support of the country and the Government. They, therefore, make sincere and arduous efforts to help the zamindar in leading an unmolested life. But the zamindars can expect no sympathy from the members of the money-lending classes who are always bent upon destroying their peace and prosperity. Moreover, the protection which is provided for the judgment-debtor under section 60 of the Civil Procedure Code is frequently violated by the astuteness of the money-lenders, the protected articles not only of the judgment-debtor but even of his relations and neighbours are taken possession of by the process-servers. The committee, on the other hand, ought to have recommended greater protection for the debtor, and it deeply pains us to see that they have tried to deprive the poor agriculturist of the scanty protection which he already enjoyed under the existing law. *Sahukars* are a powerful body and they realise their dues with great severity. Even the relations and neighbours of the judgment-debtor are not immune from their clutches. They leave no means untried to make the life of the debtor miserable just as has been done by this committee. (*Laughter*). Sir, the committee had before them the reports of two commissions, one on agriculture and the other on labour, and they could very easily have gleaned some useful proposals from these reports. It has been recommended, for instance, on page 2 of the report of the Royal Commission on Labour that the amount to be paid by the debtor should be determined by his paying capacity, which means his income minus the necessary expenditure of himself and his family. Furthermore, it is laid down that a money decree should cease to be recoverable after a lapse of three years from the time of its issue. These were most salutary recommendations, but the committee has not taken any advantage from them and has not even tried to define the words "paying capacity" in their report. In our neighbouring State of Kashmir and Jammu it has been provided in a recently made law, namely, Agricultural Relief Regulation, that simple interest should be charged at the rate of 12 per cent. on all debts, and if the debtor has paid more interest than due he should be given a decree against the creditor. Now the committee would have done well to emulate the example of the neighbouring State.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Is this law in force in that land ?

Pir Akbar Ali : It is in force in the Kashmir State. I am sorry that the high officers of our Government are not familiar with the affairs of their neighbouring governments. I may assure the Honourable Member that the Raja of Kashmir State is not so careless about the interests of his people as is our Government. He is firmly convinced of the fact that the agriculturist population is the back-bone of his State whereas the Punjab officers seem to have this idea that *sahukars* are the back-bone of their Government.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Sir, my information is that this law is not in force in the Kashmir State.

Pir Akbar Ali : The Honourable Member's information is not correct. I am making my statement on the authority of a person who is coming straight from the Kashmir State. Government members, no doubt, have ample opportunities of going to Simla, but they have no leisure to go to Kashmir. But there are many people who pay frequent visits to Kashmir. I am certain that we have more reliable sources of information than are at the disposal of the Government officers. This is because people are not prepared to acquaint the Government with correct news. Sometimes they are afraid of incurring the displeasure of Government by telling the truth, and sometimes they want to flatter them by presenting a rosy picture of the state of affairs.

The Honourable Captain Sardar Sir Sikander Hyat Khan : The honourable member has misunderstood me. What I wanted to convey was that the honourable member's definite statement that such a law was in force in the Kashmir State was not correct. The same person on whose authority the honourable member has made his statement met me and told me that the law was there in the book, and it was not yet promulgated, and this was one of the causes of the recent unrest in the State.

Pir Akbar Ali : The gentleman saw me yesterday in the evening and told me that such a law *was* in force in Kashmir State. But let us suppose for the sake of argument that such a law is not in force in that State. You, however, cannot deny that the law is there in some form or other and you can very easily make it an example. The members of this committee had knowledge of this law. Why did they not propose a like measure for our province ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : We have Usurious Loans Act here.

Pir Akbar Ali : I am sure that the members of the committee could not help ignoring such healthy examples. They were the representatives of money-lending classes. They had to look after the interests of the *sahukars*. They, therefore, strained every nerve to provide facilities for the *sahukars* to enable them to carry on their marauding business on the greatest possible scale. It was the Government which could represent the interests of the zamindars, but it is to be immensely regretted that they shut their eyes towards their responsibility.

The Punjab Government have signally failed to represent the case of agriculturist debtors before the Committee on Rural Indebtedness. I do not say that the Government have no sympathy with the zamindars for they know that their stability lies in the welfare of these people. But the

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fact is that they are terribly afraid of the *sahukars*, and as such they are not prepared to do anything for the zamindars. Of course they would like to see the latter living and paying Government dues.

Mr. President : The honourable member will please discuss the report and not the attitude of Government. The report is not of the Government.

Pir Akbar Ali : Of course the report is not made by the Government, but the Enquiry Committee was appointed by them. We object to the very composition of the committee.

The Honourable Captain Sardar Sir Sikander Hyat Khan : There were two members of your party on that committee.

Pir Akbar Ali : Well, Sir, we would like to know how many times the committee held its sittings. So far as our information goes the committee never met even once. They have perhaps based their report on the extracts from the reports of the two Royal Commissions on Agriculture and Labour. When we came to know of this we boycotted the committee because we did not want to lay our case before a committee which could not represent the agriculturist debtors properly. I would say that even this committee as it was constituted, ignored the fact that it was absolutely essential for the general welfare of the province that the zamindars should be well off. It has been suggested in this report that alienation of the land of an insolvent agriculturist should be permissible for a maximum of seven years only. But no provision has been made for the maintenance of the debtor and his family. I ask, how will he be able to maintain himself and his family during this period? Would you like him to commit thefts and dacoities for that purpose? I am sorry to observe that the Government have been doing much for the general advancement of the urban people since 1857; but nothing has so far been done to promote the welfare of the zamindars. While there are many professions open to the urban people the zamindar has nothing but his land to fall back upon for his livelihood.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Taking it for granted that the honourable member's criticism against the Government is perfectly justified, let him say what in fact the zamindars need. The honourable member should put forward some constructive suggestions as to how rural indebtedness can be removed.

Pir Akbar Ali : Sir, before we make some constructive suggestions, I think it is necessary for us to show that the report now before the House is good for nothing, and that it does more harm than good to the debtors. We are of opinion that this report is more favourable to the creditors than to the debtors.

The Honourable Captain Sardar Sir Sikander Hyat Khan : The Government have not as yet even seen this report.

Pir Akbar Ali : Oh! It is really surprising that the Government should have placed a report before the House for discussion without having themselves seen it.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I mean to say that the Government as a whole have not as yet considered this report, although I have perused it with greater attention and care than the honourable member appears to have done.

Pir Akbar Ali : Both the Royal Commissions on Agriculture and Labour suggested some good things, but the Rural Indebtedness Enquiry Committee have adopted them in a manner that would do more harm than good to the debtors. For instance, the Royal Commission on Labour suggested that while granting decrees to the creditors the paying capacity of the debtors should always be taken into consideration. But in this report the matter has been entirely left to the discretion of the court. Another good thing suggested by the Royal Commission was that no decree should be executed after the expiry of three years from the date on which it was granted. Under chapter V of the Provincial Insolvency Act summary procedure can be adopted where the property of the insolvent is not likely to exceed Rs. 500. In that case the court need not issue any notice or prepare any schedule. I have been practising as a lawyer in the Ferozepore district for the last 20 years, and I have not known a single case in which any insolvency court has resorted to the provisions contained in chapter V of the Provincial Insolvency Act. Similarly the provisions of the Usurious Loans Act of 1918 have been completely disregarded. Even the Indian Law Report do not report any case under the Usurious Loans Act that might have gone to the High Court. Not even the Indian Cases contain any such ruling.

Lala Chetan Anand : Question.

Pir Akbar Ali : You may question my statement, but that is a clear fact. I would suggest that petty insolvency law should be enacted embodying the provisions contained in chapter V of the Provincial Insolvency Act. I am not sure whether the Government would adopt that suggestion. The zamindars are harmless people, and therefore cannot force the Government to what is good for them. The Punjab Government, as a matter of fact all other governments, yield before the people who threaten them with agitation. The Enquiry Committee on Rural Indebtedness has not been able to suggest the immediate need of any such petty insolvency Bill. Of course it has been suggested in the report that insolvency should be brought within the reach of persons whose debts are between Rs. 100 and Rs. 500. There were some members of the committee who insisted on the insolvency being brought within the reach of persons whose debts range between Rs. 100 and Rs. 2,000. I think it would have been much better if the committee had suggested that the proposed Bill should cover amounts up to Rs. 5,000. In this connection I would submit that you should better enact a law similar to the one now in force in Kashmir.

Mr. President : That has been said already.

Pir Akbar Ali : Besides, the court should take steps to discharge the insolvent within the shortest possible period. To discharge an insolvent from liability after 2 years or one year would not in the least improve matters.

I would now say something about the Punjab Alienation of Land Act. This Act was drafted, passed and carried into effect by revenue officers.

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who were well-known for their genuine sympathy with the zamindars, who wanted to see them prosper and who were in fact responsible for the extraordinary development of the canal and revenue administrations. But there are people who have been making persistent efforts to restrict the operation of this Act from the very day it was passed into law. They want to nullify its effects. But this is an Act which is dearer to the zamindar than even his life. The committee has also suggested that in future in execution of a decree the land of an agriculturist judgment debtor may be leased out for seven years instead of twenty years as is being done under the law now in force. But no provision has been made for the debtor's maintenance.

Mr. President : The honourable member is repeating the arguments already advanced.

Pir Akbar Ali : I am sorry Sir. Further, it has been suggested to do away with the hereditary rights. I am at one with the honourable member from Gujranwala when he says that unless the hereditary rights of the zamindars are preserved the village community cannot remain intact. There is of course one suggestion made by the committee which may be of some use. I do hesitate to say that it would be useful, for I am afraid lest it should be withdrawn.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Well then, speak to me in private.

Pir Akbar Ali : I think I should mention it now, and that is the appointment of a conciliation board. The appointment of this board along with the enactment of a petty insolvency law on the lines already suggested would do a lot of good both to the creditors and the debtors, provided of course the decision of the board should have the force of a decree of a civil court. The Government may and probably will object to it by saying that by making this arrangement they would incur great loss in the income derived from stamp duty. Under the proposed insolvency Bill the debts payable under an agreement approved by the conciliation board are recoverable as arrears of land revenue, but if the collector is unable to collect them, let the debtor be discharged from liability forthwith. It has been stated in page 7 of the report—

We have considered the problem of benami transactions, but cannot suggest any practicable legal remedy other than the one at present obtaining, namely, a declaratory suit in a civil court.

The remedy which exists at present is in fact no remedy at all. I can say on my personal experience that the *sahukar* in the execution of his decree tries to have the agricultural land of his debtor transferred to another agriculturist, while he himself is the sole beneficiary. In many cases these benami transactions not only contravene the provisions of the Punjab Alienation of Land Act, but also inflict a serious loss both on the debtor and on the benami purchaser.

Khan Bahadur Sardar Habib Ullah : The discussion before the House is an important one, and as there are many members who would like to speak and make constructive suggestions I request that the Chair may be pleased to fix some time limit for speeches.

Pir Akbar Ali : The honourable member is perhaps labouring under a misapprehension that by moving the motion now before the House he has acquired the rights and privileges which the Government members possess with respect to motions moved by them (*laughter*). Look at England where money-lenders are far more honest than the money-lenders in this country and where the debtors are far more literate than the debtors in our country. There certain checks have been placed on the activities of the money-lenders. Their names have been registered. For any professional misconduct their names are liable to be struck off the register. I do not understand why the Committee on Rural Indebtedness has not thought it fit to recommend similar checks to be placed on the activities of the money-lenders in this country. We have passed the Punjab Regulation of Accounts Act under which the money-lenders are required to submit six monthly statements of accounts to their debtors. But the former have tried to evade this provision by advancing loans to the latter after having obtained their signatures on returns for the next six years. The interest for this period and probable cost of recovering the loan are included in the amount advanced. We did bring these probabilities to the notice of the Government at the time when the Punjab Regulation of Accounts Bill was under consideration.

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But the Government promised to provide for them in rules. And that promise has not so far been fulfilled. To-day I take this opportunity to make one suggestion which in my opinion would go a long way in removing the rural indebtedness, and that is that the work of attesting accounts on the spot like the attestation of a mutation should be introduced and entrusted either to revenue authorities or to the Co-operative Department. Just as is done in mutation cases the attestation of accounts should take place in public. Let the revenue authorities attest accounts in the presence of the villagers themselves. If that is done I am sure the zamindars will be saved from the wiles of the lender. I shall close my remarks by saying that to say the least the report of the Committee on Rural Indebtedness cannot be and should not be taken as the basis of a legislation intended to benefit the rural classes. Before any such legislation is proposed the zamindars should be allowed to make their suggestions. We acknowledge that the *sahukars* are our brethren, and they, as a class, are very important. But our importance as well should not be lost sight of, and we must be allowed to have our say in matters which so very vitally affect us. With these words I say that this report deserves to be condemned (*cheers*).

Mr. G. E. B. Abell (Deputy Registrar, Co-operative Societies): Sir, I rise to correct one mistake made by the last speaker. He seems to be under the impression that the committee did not meet even on a single day. As far as I remember, the committee met on about twelve days, and in between those days the members were studying material on the subject.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural): The question of indebtedness is certainly a very important one and requires a very serious consideration at the hands of this House as the representatives of the people and also at the hands of Government. In the collection of figures the committee has shown that it has not taken great pains to arrive at up-to-date figures. They have told us that the figures were 135 crores in 1929, and if those were the figures for 1929, then they must have now

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considerably risen. The figures, as it has been remarked by almost all the members who have participated in this debate, are certainly very staggering, and we expected that the Punjab Government, knowing its responsibility in the matter and knowing also that almost all the material was at its disposal as contained in the reports of the Royal Commission on Agriculture and the report of the Royal Commission on Labour, should have by this time come forward with some sort of legislation in order to meet the situation. Anyhow they took the other course, and that was that they appointed this committee whose report is before the House to-day.

I must at the very outset remark that this question should not in any way be made communal nor should it be considered that almost all the creditors are of one class and all the debtors are from another class. It must be admitted by the worst detractors of the creditor class that the business of money-lending which is carried on by the creditor class is an important and ancient institution to be found everywhere in all countries and has been in vogue at all times. Therefore it is not peculiar to this province alone, and any legislation which might be proposed could not be opposed simply because it came from a certain class. It must be also stated that we must always give all the legitimate help and assistance that the creditor requires, but at the same time we must not forget that the unscrupulous and the dishonest creditor is a nuisance, is a curse to the society and to his own profession. He does not deserve any mercy, and should not be given any quarter simply because there might be some people who might take up the cudgels on his behalf simply because they represent that class.

Before coming to the proposals as given in this report, I must welcome the suggestion that the committee have made. Of course that suggestion requires a good deal of modification, but the suggestion in itself is a suggestion which could be taken up, and the Punjab Government should, without any loss of time, bring forward some legislation on the recommendations of that suggestion, and that suggestion is that a Rural Provincial Insolvency Act should be at once introduced. But I should not be taken to mean that I subscribe to all the proposals that have been made there. I might be allowed to make my own proposals, and one of my proposals is that the question of the personnel of those courts should be examined carefully, the question whether it will not be worth while to draw the judges that will function as presiding officers of these courts from the present revenue staff, or whether the recruitment should be made on the basis on which the present tahsildars or naib-tahsildars are recruited by the commissioners or by the financial commissioners. I do not mean to say that I wish to deprive any class of any privilege, but what I mean to say is that if this recruitment is made on that basis, perhaps we would find people who would perhaps show some sort of anxiety and interest in the difficulties of the zamindar class or the debtor class. Secondly, I would also say that in any legislation that is brought forth the exemptions that are at present enjoyed under sections 60 and 72 of the Civil Procedure Code must remain intact, and furthermore I would invite attention, though it has already been done by previous speakers, to sub-section (5) of paragraph 14. Of course much has been said on this because it has been pointed out that ancestral property so far not distinctly charged could not be made liable for any debts in the hands of the next legal

representative of the deceased debtor. I may also say that this proposition has long been laid down in particular terms as remarked by Khan Bahadur Shaikh Din Muhammad. This law has been in existence and in vogue since the British courts began to function, but this law was laid down in what is known as 4 P. R. 1913. It was a full bench ruling in which the existing law had been examined and all the previous rulings that had been given by the Chief Court had also been examined, and therefore with your permission I will quote the very words in order to very clearly impress them upon the Government in case they undertake any legislation—

If a male proprietor, governed by customary rules, contracts a just debt and dies leaving landed ancestral property without expressly charging the debt on that property, or, in other words, if the debt is a personal debt and for its liquidation the person who incurred this debt has made no express provision by sale or mortgage of the ancestral estate for the time in his possession, in these circumstances the creditor cannot by obtaining a simple money decree either against the debtor himself in his life time or after his death against the persons who are the legal representatives *pro tanto* of the deceased debtor execute his decree after the death of the debtor by the attachment of landed ancestral property which was at one time in the possession of the deceased.

This was the ruling, and the reason was that anybody in possession of the property was not an absolute owner. That was what is called agnatic theory, and an important ruling was given in 1887 enunciating the principles of that theory which was found to be prevailing in the customary law. One encroachment upon that sound principle is that property in the hands of the widow has not been made immune from that concession,—*vide* 39 P. R. 1915; another departure is that property in the hands of a daughter is not covered by 4 P. R. 1913—*vide* 12 P. R. 1918. Later on, the High Court met in a full bench and they decided also that this law, as it has been enunciated in 4 Punjab Record, 1913, did not exempt those debtors where the creditor could by some sort of proof show that there was a custom that such property though in the hands of the debtor was liable to attachment—*vide* 17 P. R. 1919. Therefore I submit that though from time to time there have been some rulings which have very greatly modified this 4 P. R., 1913, it is a good law and holds good up to this time. Therefore any legislation which proposes that this concession which has been enjoyed from times immemorial by the debtor should be withdrawn, should receive the serious consideration of this House and of the Government if they ever undertake to legislate upon the strength of the recommendations that have been made by this committee.

Next, I am very much opposed to another proposal, and that proposal is the setting up of conciliation boards. My reasons are that we are entirely in the dark as to what sort of machinery that would be, whether that would not be an additional burden upon the tax-payer, and what would be the rules regarding the remuneration and the recruitment of those people. Therefore as at present advised, I would oppose the setting up of any conciliation boards until and unless this question has been thoroughly examined by this House and by the Government.

(At this stage Mr. President left the chair and it was occupied by the Deputy President.)

Next I would draw the attention of this House to the Usurious Loans Act, because this committee has taken shelter behind the provisions that are

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there. In one breath they say that if the Usurious Loans Act is properly applied, this will afford sufficient and necessary protection to the debtor. In the same breath they say that this Act has been a dead letter. The reasons that have been given are not all the reasons that should have been adduced. The reason why this Usurious Loans Act has not been applied to the extent to which it should have been applied is because everything in that Act has been left vague and indefinite. It is said that the court can reopen a transaction as soon as it finds that the transaction is an unfair one. No definition of 'unfair transaction' is given, and the courts would seem to think that it falls within the provisions of the Contract Act, whether a creditor has been in a position to dominate over the will of the debtor, and if not, it is considered a fair transaction and the courts refuse to interfere in such a case.

Again in order that the Usurious Loans Act may be operative, a second condition has to be fulfilled, and that is, that the courts have to be satisfied that the interest is very excessive. There again the courts are to exercise their discretion, because no amount has been defined as excessive. No limit has been mentioned beyond which it can be said with definite certainty that the interest is very excessive. My submission is that the Usurious Loans Act should not be left vague and indefinite as it is. There must be some limit proposed. It has been suggested by certain honourable members that the rate of interest should be fixed at 12 per cent. and by others at 15 per cent. beyond which any rate of interest should be considered excessive. I am agreeable to some such limit being fixed, but I am not prepared to go to the extent recommended by the committee that the rate of interest might go up to 37½ per cent. That certainly is a very high figure, and that would not afford sufficient relief to the debtor.

Lastly, I would submit that whatever action or step may be contemplated by the Punjab Government, they should legislate at once. I doubt very much whether any useful purpose would be served by setting up another committee on indebtedness, because that would mean another year wasted. Besides, we should also have regard to the finances of the province. I would, therefore, submit that the Government after hearing all the views that are expressed by the honourable members of this House should propose some sort of legislation which should, of course, try to keep the balance between the creditor and the debtor and which should certainly give relief to the debtor. It must evolve measures in the way of liquidation of old debts and also afford protection in the future.

The Honourable Sardar Sir Jogendra Singh (Minister for Agriculture): Sir, I may begin by mentioning that Government as a whole has not considered the proposals of the Rural Indebtedness Enquiry Committee. Therefore, in taking part in this debate my purpose is mainly to state the problem. Honourable members who have spoken have criticised the constitution of the committee or its recommendations, but have not examined the main problem of indebtedness or the economic conditions which govern life and labour and the credit facilities that exist. I feel that it would be helpful to the House if I deal with these three aspects in a simple manner, and thus enable the honourable members to apply their mind and find a cure for economic ailments from which the province suffers.

There can be no question that the situation of the agriculturists is grave, and the Government has been aware of it. Even before the Indebtedness Committee was appointed, two other committees made full and careful enquiries. I refer to the enquiries made by the Central Banking Enquiry Committee and by the Provincial Banking Enquiry Committee. I would invite the attention of the members to the very informative reports which these two committees have submitted. They will find a good deal of material which will afford them food for thought. It will need very careful thought if we are to relieve our agriculturists from the heavy burden of debt which is almost overwhelming them. If we take up the economic position as it exists at present in the Punjab, excepting the colony areas and the areas that are not irrigated, the holdings are so small and hopelessly fragmented that it has been held by no less an authority than Mr. Darling that there are some holdings so small that they cannot yield a comfortable living for a family of five. Therefore the fragmentation of holdings deserves serious consideration of the House. We can do a great deal to prevent further fragmentation of holdings and to bring about consolidation of holdings already fragmented.

Then again, I think it would be useful if we obtain a census of production and a census of consumption so that we can plan out production of all the requirements of our population. In 1921 it was estimated by the Director of Land Records that the gross agricultural income stood at 99 crores. In 1922 it was held that the income per head of the population was in the neighbourhood of £8 a year, while the corresponding figure for Great Britain was £95. The contrast is very startling even after allowing for the difference between the range of needs to be satisfied in each country. According to the Banking Enquiry Committee's report in 1928 this income had gone down to Rs. 42 or £3 per year. If you take into account the depression in prices that has taken place, the income which I just mentioned to be in the neighbourhood of 99 crores must have declined in proportion to the decline in prices. I have not got the exact figures; not being a mathematician I cannot hazard a guess. But those who can work out the details can easily take the index numbers of prices and work out at what figure the present income of the province stands.

Another factor which we must take into account is the increasing population of the Punjab. The Census Report has just been published, and the honourable members know what increase there has been. If this increase is maintained and no subsidiary employment is found for our village population, depression and poverty is inevitable. The increase in population and the unemployment in villages, of which we are all aware, need carefully considered remedies. But these remedies are not to be found in legislation but in the development of the resource and in finding subsidiary employment for our increased population.

Coming to the immediate question that has been engaging the attention of the House, the agricultural debt of the province in 1921 stood at 90 crores and in 1930 it stood at 148 crores. The increase in debt in terms of money is largely due to the change in the level of prices. I am of opinion that it is

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due to the increase in the commodity prices which took place between 1921 and 1924, when the average index prices reached the high figure of 251 while the basic figure was 216. Here again we must find some system of working out an adjustment of the debt which was contracted in this period of high prices to the level of the present prices.

When we talk of legislating in order to afford relief to the heavily laden agriculturists, we should not forget that without adequate credit facilities it is not possible to produce or market agricultural produce. The money-lender, the banker and the *sahukar* have a part to play, and we must see to it that we do not choke our meagre sources of credit, but make the available credit productive, rather than destructive. If a man borrows money he ought to be able to invest it to advantage, and he can only do so if there is a margin between the interest to be paid and the profit to be made. The present system leaves no margin.

This problem of rural credit has been carefully examined by the Banking Enquiry Committee. That committee is of opinion that every attempt should be made to create agricultural credit with cheap interest and proper control. As things at present stand, commercial banks take no direct part in giving credit facilities to agriculturists. A valuable recommendation was made by the Banking Enquiry Committee that all banks doing business in India should be required to take a licence. This will give an opportunity to impose certain conditions, when giving licence, on banks such as any bank doing business in the province should be obliged to afford credit facilities for development of agriculture and industries. We have discredited the *sahukar*. But it is not the *sahukar* who is to blame. It is the system that is to blame. The *sahukar* lends money on security which no other agency in the country accepts. He charges a high rate of interest which cripples production and he does not ordinarily recover. The result is that both the lender and the borrower suffer. What is needed is, as the Banking Enquiry Committee recommended to organise the *sahukars*. If all the money-lenders of the Punjab were to pool their resources and afford credit facilities on such terms as would be productive for both parties, the *sahukars* would prove a blessing to the province.

I do not wish to speak on the recommendations made by the committee whose report is under discussion. But there is just one matter which I wish to bring to your notice. I know that the two official members of the committee were anxious to help. I can assure the House that no one was more interested in liquidating the agricultural debt of the province than Mr. Calvert, and I reveal no secret in mentioning that Mr. Anderson drafted a Bill at my request. The recommendations that have been made by the committee have been made after full consideration. These recommendations are capable of improvement, and it remains with the House to make constructive proposals for improvement, but I can assure the house that members of the committee have done their best for the agriculturists.

I will just draw your attention to one of the recommendations of the Central Banking Enquiry Committee that there should be a provincial mortgage corporation. I have been thinking over the formation of this mortgage

corporation for quite a long time, and I have consulted some experts in the Co-operative Department on this matter. I propose now to appoint a small committee to consider the formation of this mortgage corporation. The mortgage corporation when formed as recommended by the Banking Enquiry Committee will be able to finance agriculture at reasonable rates of interest. I am hoping that it may be possible if conciliation boards are appointed to fix the debt of an agriculturist at a level which is within the capacity of his assets, and when that has been done to issue debentures on the basis of ascertained assets as they are issued in mortgage banks in Germany and France. These debentures bearing light interest, would be negotiable and the interest that is realised could be pooled as it is in the case of premium bonds, and drawn in prizes, some large and some small, but the bulk of it to be drawn at par, thus paying off a large number of debentures every year. I do not know whether this idea is workable. But I place it before you for your consideration.

Lastly, I wish to draw your attention and through you the attention of the people in general to the part which co-operative movement has played and can play in helping agriculturists. Bad habit is growing of criticising the activities of the Co-operative Department. It is forgotten that the Co-operative Department seeks to help people by teaching them to co-operate. Co-operative Department is not a thing apart but is a self-governing movement run by the people themselves. A co-operative society is able to raise funds for its members on their joint credit. Therefore, so far as expanding of agricultural credit, marketing of agricultural produce, consolidation of holding and better living are concerned, you can have no better agency than the Co-operative Department. The department is there to guide and help, and if co-operation fails, it fails because we have not trained our population in the art of co-operation. If we can train our people in the art of co-operation, if people learn to co-operate and work together, I have no doubt that the difficulties that are facing us to-day would disappear within a limited number of years. But the essential condition is that we should train our population to co-operate. We should educate them and help them. Pure criticism which offers no constructive suggestions is not likely to meet the grave situation that has arisen. The situation in the villages is undoubtedly grave. The depression in prices has reduced the resources of the agricultural population, and since it has reduced the resources of the agricultural population it has reduced not only the resources of the towns in India but also our foreign trade. It has affected everything adversely. The adjustment of prices—it does not matter at what level it finds—will come before long, as soon as money is stabilised. But the fundamental factors which I mentioned before, which govern the economics of the Punjab, remain. These are the smallness of the holdings and their fragmentation on the one hand, and the limited productive capacity of the soil on the other. My friend who has just moved near me (Pir Akbar Ali) always criticises the Government as if it were an inhuman institution; but for the work which it has done, the province could never support its present population. The Agricultural Department has already increased production, and I have no doubt that within the next ten years, it will secure at least an increased yield of 25 per cent. In the Co-operative Department we have just touched the fringe of the credit problem. We are able to provide credit facilities to the extent

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of 18 crores. The province needs 100 crores of credit. But we are slowly building up. In the matter of trade and industries, I must confess we have not made any great improvement ; but that problem too is engaging the attention of Government, and if this House takes more interest in the development of the province, and economic problems, I have no doubt we can provide employment for our population and thus increase our production. As population increases employment for it will have to be found, and as the area which can be brought under cultivation is limited and our agricultural resources have been fully exploited we shall have to exploit other sources of wealth. If we are to banish poverty we will have to march all along the line, and I can assure honourable members that so far as Government is concerned, so far as the Co-operative Department is concerned, we will do our utmost to relieve the agriculturists of their heavy burden of debt and educate the people in the ways of self-help.

Rao Bahadur Captain Rao Balbir Singh (Gurgaon, Non-Muhamadan, Rural) (*Urdu*) : Sir, I consider myself lucky that I have got a chance to express my views with regard to the matter now under consideration. No one can deny the fact that most of the population of the province lives in rural areas, and that they depend upon agriculture for their livelihood. On account of bad harvests and low prices their plight is very sad. Those honourable members who belong to Lahore or to other towns cannot imagine the deplorable conditions obtaining in villages. They cannot realise how the zamindars, whom they represent, are starving. The women go about clad in torn *sarkhis*. If you could see them with your eyes you will certainly pity their condition. The zamindars of the districts of Hissar, Gurgaon and Rohtak are suffering more acutely than the zamindars of the other districts of the province. The district to which I belong, and also the districts of Hissar, Rohtak and Karnal are backward as regards education and economic well-being. They have not got sufficient clothes to cover their nakedness. Their straitened circumstances excite pity. The Honourable Revenue Member desired that we should put forward some constructive proposals to ameliorate their condition. But before suggesting concrete proposals the essential thing that we should do is to find out the causes which have brought about such a sad state of affairs. The one important thing which has mostly contributed towards the misery of the zamindar is that his income from land is very small and the family which he has to support is very large. Added to this is the fall in prices. They have to borrow, and the debt with the high rates of interest go on accumulating from year to year without limit. The zamindar is generally unsophisticated, while the money-lender is very shrewd and wily. The latter makes wrong entries and the zamindar has not got the ability to detect them. Moreover, the money-lender is influential and no one can dare to deny his claims against the debtor. He himself makes entries in his book and all believe them to be correct. In this way by deceit the money-lender gets more from the zamindar than is his due. The next factor that has helped to bring about this sad plight is that the zamindars are not thrifty. They spend more on marriages than their means would permit. The poor zamindars at the time of marriages of their children try to imitate the lambardars or the other rich people of their village without considering that their means do not allow so much expenditure. They borrow

money from the *sahukars* for such expensive marriages. Then again, there is the curse of litigation. The zamindars spend too much on litigation. All that they earn by the sweat of their brows, they hand over, either to the pleaders as their fees, or to the Government as court-fees, &c. These few causes which I have explained along with many others have reduced the zamindars to such a sad plight.

The Government depends upon the zamindars for land revenue as well as for providing men for the army. All the departments of the Government are established for their benefit, because in the real sense it is they who form the population of the province. The Government is there for their sake. It is the duty of the Government to adopt all sorts of methods to ameliorate their condition. In areas where there are no arrangements for irrigation the Government should undertake to construct canals, and if this is difficult, then tube wells should be installed to benefit them. The implements of agriculture are of the same old type which were used by their ancestors centuries before. Scientific and modern implements of agriculture should be introduced, and the zamindars should be made to realise the fact that these modern implements are better and more useful. The modern methods of agriculture should also be introduced and made popular.

Then, Sir, the scheme of consolidation of holdings can also be of good deal of help for the zamindars. The zamindars have got scattered holdings separated from each other by a good deal of intervening distance. The zamindars cannot derive much benefit from such holdings. It is therefore essential that their scattered holdings should be consolidated.

The next proposal that I want to submit in this connection is that by the help of the co-operative societies or by some other means their dealings with the money-lenders should be minimised, and their grains, instead of being allowed to be sold at a very cheap price in order to pay back the loans to the creditors, should be kept in barns built particularly for this purpose and sold at a time when they could fetch a good price, or sent to places where the prices may be high.

Next, such habits should be formed as would enable the zamindars not to spend more than a fixed sum on marriages and such other occasions. The *lambardars* and *zaildars* and other such important personages of the village community should set examples to this effect. If the leading men will stop useless expenditure on marriages the common people will also follow their example and economise.

My next proposal in this connection is that the zamindars should be provided with *taccavi* loans in order to purchase hand-looms and such other machinery to carry on cottage industries and thus augment their income. The zamindars have got a good deal of leisure during the course of the year. They can during their leisure hours employ themselves as well as their women and children in cottage industries. Moreover, Sir, there are some tracts of land belonging to the zamindars which cannot be used for agricultural purposes. In such lands trees should be grown. The wood can be sold. Besides, the growth of such trees will be conducive to more rainfall. *Kikar* trees, if grown, can be of good deal of use to the zamindars.

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The most important thing that can be done for the benefit of the zamindars is that primary education should be introduced in rural areas on a very large scale. Sufficient arrangements for the education of the urban areas have been made, but no such arrangements exist for the rural areas. The Government made arrangements for the education of the urban areas on an extensive scale and the results that have followed are quite visible. The graduates they have produced are teaching a good lesson to the Government. The primary education will prove a great help to the zamindars. They will be able to keep their accounts and will not be deceived by the money-lenders. The zamindars work throughout the year. They keep themselves busy in winter as well as in summer, but still they continue to starve, but the fat *sahukar* who does nothing gets everything and enjoys at their cost. If the zamindars are made literate the *sahukar* will not be able to deceive them and get everything from them.

Then, Sir, attention should also be given to the breeding of good cattle. (Interruption). When we will have a good breed of cattle we will also have well bred men. I am submitting it only as a constructive proposal for the uplift of the zamindars. I do not agree with my honourable friend Pir Akbar Ali when he suggested that Mr. Calvert or Mr. Anderson are the representatives of the *sahukars*.

The last submission that I want to put before the House is that the mutual quarrels of the zamindars should be settled by the panchayats. All their cases should be decided by the panchayats. By so doing a good deal of the money of the zamindars which at present goes to the pleaders and the Government will be saved to them. In this way the *sahukars* will also be saved from a good deal of botheration. At present sometimes the zamindars have to insult and in some cases beat the *sahukars*. If panchayats were to decide such cases the *sahukars* will be saved from rough handling and also from spending money on litigation. No doubt the Government will have to forego a good deal of revenue, but this will help the zamindars who are the main support of the Government. It is better to get daily a golden egg than to kill the goose that lays them in order to get them out all at once. The zamindars' condition should be ameliorated. If they remain in the grip of poverty as at present, very disastrous results are sure to ensue. With these words I resume my seat.

Rao Bahadur Chaudhri Chhotu Ram (South-east Rohtak, Non-Muhammdan, Rural): Sir, this year has been rather unlucky. We have had to discuss two important documents. One was the White Paper. Practically the whole House was unanimous in condemning it. It was so disappointing. Similarly the report which is under discussion to-day has come in for the same fate, and it fully deserves that fate. I do not mean that there are no proposals contained in the report which are good and satisfactory, but taking the report as a whole it cannot be claimed that this report is any way better than the White Paper which the whole House condemned. The Honourable Revenue Member wanted to know why there was so keen a desire on the part of private members of the House to condemn this report. Well, I will explain the reason of this desire, and I will illustrate it by a true story. A creditor brought a suit against a Jat in a munsif's court. The

munsif gave a decree against the Jat. The Jat thought that he had been dealt with very unjustly because the judgment was not correct to facts as they were, though it must have been correct to facts as they appeared on the file. The poor fellow could not understand that courts had to go by what appeared on the record and not by the actual truth of things. So he made up his mind to file and did file an appeal. On the day of the hearing of the appeal he entered the court with a lighted torch. The district judge demanded what he meant by that. He replied that in the lower court it was all darkness; he was apprehensive lest there should be similar darkness there as well, and that it was in order to make sure of light in his court that he had come there with a lighted torch. The anxiety of private members of this House to condemn this report is due to the fact that there is an apprehension in their minds that before the committee it was all darkness, and that it may be equally dark in higher quarters. Their desire is to dispel the darkness which surrounded the committee before it prepared this report.

The Honourable Dr. Gokal Chand Narang : By the speeches they have made.

Rao Bahadur Chaudhri Chhotu Ram : Their speeches do not appeal to you because you have sealed your heart against anything reasonable. I will tell you why this report is so unsatisfactory. This report really is not the result of the wishes either of the zamindar members of this committee or of the wishes of non-zamindar members of this committee; nor yet is it the result of any agreed understanding between the zamindar and non-zamindar members of the committee. The committee was so composed that it was only the official members whose views could prevail.

Just look at the composition of this committee. There were three zamindar members, two non-zamindar members and two officers, seven in all. So the determining factor was the official element. If the official members approved of a particular proposal which they thought would be welcome to zamindar members,—they would turn to them and ask "Well, what do you think of this proposal?" They would naturally say: "Yes, it is all right." Then that particular proposal would pass muster. If the official members, on the other hand, did not want a proposal beneficial to zamindars to be carried and wished to oblige the representatives of creditor classes they would, by a similar process, obtain their support, and record a decision thereon. In fact and in truth the committee's recommendations are nothing but the reflection of the wishes of the official members of the committee. In some respects the official members obliged the representatives of the debtor classes and in certain other respects they obliged the representatives of creditor classes. That is the reason why this report is so unsatisfactory and why it is being condemned by those who represent the debtor classes in this House. Taken as a whole the report does not deserve any credit, and the members of the committee do not deserve any congratulations. To tell the truth, I feel that if Mr. Abell had been left to himself with all the relevant literature before him he would have been able to write a much better report than the one which is under discussion. He seems to have been cramped by the wishes of the chairman and by the

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wishes of the majority of the committee. By himself he would have come out with a much better report. In fact, I would go even further and say that any superintendent of any branch of the Secretariat would have been able to produce a report of this character. There were seven members on this committee. They seemed to have worked, or at least they have taken seven or eight months, for producing this report, and what is it? It is nothing better than a mountain in labour producing a mouse. The report does not do justice to any aspect of indebtedness in the province. It does not throw any light on the extent of indebtedness that exists in the province. It does not discuss the reasons which justify according to the members the recommendations which they have made. The report does not contain any reasons showing why particular proposals have been brushed aside. However that is a different story altogether.

I should not like to take the time of the House over things which have been stated by previous speakers. I will just go over the various points which have been touched upon in this report and express my approval or disapproval as I go along.

The first proposal that has been made by the committee relates to a simplified procedure of insolvency, with separate insolvency judges to attend to all business of insolvency. That is a very sound proposal, and I fully approve of it. But I must indicate that in connection with this proposal the committee has also suggested three things which go against the interests of the debtor classes. The first of these relates to the entire landed property of an agriculturist being made available for the satisfaction of a debtor's debts. The second proposal is that the land belonging to an agriculturist now protected by the Land Alienation Act should be made saleable. The third proposal is that the present protection which is enjoyed by ancestral property in the hands of reversioners in the Punjab should be taken away. These three proposals which have been made in connection with a simplified procedure of insolvency are definitely detrimental to the interest of agriculturists and debtor classes. And I beg to submit that no man who belongs to an agricultural class or who represents agricultural classes in this House can tolerate such proposals. The next proposal is for the formation of conciliation boards. This proposal again is a very sound proposal, and would be welcomed by all whether creditors or debtors. But even here there is one very ominous sentence to which I should call the attention of the House. That sentence is this—

Under that Bill the debts payable under an agreement approved and registered by the conciliation board are recoverable as arrears of land revenue by the collector.

Though there is no definite proposal made in the report itself that debts agreed upon between the parties should be recoverable as arrears of land revenue, the very fact that such a sentence occurs in the report may lend colour to a supposition that the committee actually approved of such a power being given to the collector. I hope nothing of this kind was present in the mind of the members of the committee, but if any such thing was present in the mind of the members of the committee it should not receive any countenance from the Government. Making debts, even those debts which are agreed upon between the parties, recoverable as arrears of land.

revenue, would make the position of debtors twenty times worse than it is now. There is another very sound proposal. It is that usufructuary mortgages should not extend beyond twenty years and should be automatically redeemable whether those mortgages happen to be in favour of members of agricultural tribes or of those belonging to tribes other than agricultural. Another suggestion has been made with regard to modification of the Punjab Redemption of Mortgages Act. The modification suggested is that the limit of mortgage money which is now Rs. 1,000 should be raised to Rs. 5,000. This again is a very welcome proposal and Government should have no hesitation in making the modification suggested by the committee.

Next comes the proposal of the committee with regard to the registration of money-lenders. This proposal naturally will not commend itself to the representatives of creditor classes, but it is really a very sound proposal. So far as my section of the House is concerned, we have been fighting for it for the last eight years. There was a battle royal round the original money-lenders' Bill which was based on this proposal. That Bill failed to pass through the House, and we had to content ourselves with a very attenuated form of the original legislation later on. But the fact that this committee has made a recommendation by a majority that legislation requiring the registration of money-lenders should be undertaken whenever circumstances make it practicable is a very good proposal except in so far as it introduces the qualification "whenever circumstances make such legislation practicable." This is an instance of the timidity which has been shown by the members of the committee in making their proposals whenever those proposals seemed to affect adversely the creditor classes. To tell you the truth, Sir, the one reason which has made this report unsatisfactory is to be found in the desire of official members to please the representatives of creditor classes. Whenever official members have to deal with a certain class their desire to please that class generally gets the better of their judgment. I would not say more on this unpleasant subject beyond this that all this hesitation and timidity is traceable to that desire to please the creditor classes.

The proposal to do away with imprisonment for debts has not commended itself to the members of the committee. But I think the members of the committee were wrong in supposing that imprisonment for debt is not inflicted in cases where it is not deserved. Their experience probably does not extend to the people who are now being sent to jail. It is not only in cases where a man is able to pay and refuses to pay that judgment-debtors are sent to jail, but in many cases judgment-debtors are sent to jail to take an unfair advantage of his absence as well as in order to bring pressure not upon the judgment-debtors alone but on all the relations and friends who are interested in seeing him out of jail. As soon as a man is sent to jail what happens is this. The decree-holder makes an application for the attachment of his bullocks, of his buffaloes, of his cows, of his house, and so on. Some of these items are exempt under section 60 of the Civil Procedure Code. But what the decree-holder aims at by seeking a warrant of arrest against the judgment-debtor is that he should not be free to file objections against unwarranted attachments. That is one object. Another object is that all those who are interested in the judgment-debtor should

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come out with money in order to satisfy the debt. So it cannot be said with truth in all cases that proceedings for arrest are taken *bona fides* by decree-holders or that a judgment-debtor is sent to jail only in cases when he is able to pay and refuses to pay the debt which is due from him. In order to do away with the abuses to which I have referred it is necessary that imprisonment as a punishment for failure to pay debts should be done away with.

The proposal with regard to the abolition of compound interest is very sound. Some members have already commended it to the attention of the House, and therefore I would not delay over it. But along with it I would also suggest that the rule of "*damdupat*" should be enforced in British territory as well. It has already been stated that there are States, for instance, Kapurthala and Gwalior, where the rule of "*damdupat*" is being enforced. I see no reason why the British Government should hesitate in enforcing a rule which was devised by Manu himself. Nobody can complain that Manu had any prejudice against the creditor class or that he was unjust or harsh in his views about the creditor class. Manu's authority should be upheld by all Hindus whether they belong to the creditor class or the debtor class, and there should be no hesitation on the part of British Government to enforce such a salutary rule.

(At this stage Mr. President resumed the chair).

Now I come to the case of the Usurious Loans Act. Everybody who has any experience of courts knows full well that the Usurious Loans Act has remained a dead letter not only in the Punjab but throughout India, and whatever the true remedy may be the remedy that has been suggested by the committee is unfortunately a remedy which will prove ruinous to the debtor classes. The suggestion is that any rate of interest in excess of 37.5 per cent. should be regarded as unconscionable and excessive. Though the report does not say that any rate of interest below 37.5 per cent. should not be regarded as excessive, the natural interpretation which will be placed by courts upon this recommendation would be that any rate of interest lower than 37.5 per cent. should not be regarded as unconscionable by courts. I have been practising as a lawyer for the last twenty years, and I have been almost invariably a counsel for the defendants, I cannot recollect a single case in which a rate of interest anywhere near 37½ per cent. has been claimed by any plaintiff in court. There may be cases where money-lenders have privately charged a high rate of interest like that of 37.5 per cent., but I can say definitely that I cannot recollect a single case in which any plaintiff has claimed 37.5 per cent. interest in court. The usual rate in the south-eastern Punjab varies between twelve annas and one rupee nine annas per month. There are cases, about 10 per cent. perhaps, where the rate of interest is 2 per cent. per mensem. So if a presumption is to be drawn that a particular rate of interest is unconscionable the line cannot reasonably be drawn at a figure higher than 24 per cent. Personally I think that any rate of interest in excess of Rs. 1-9-0 per mensem should usually be regarded as excessive. Even below that line it should rest with courts to draw a presumption that in the particular circumstances of a case the rate is excessive and unconscionable.

There is a very casual reference made in the Report to the institution of a special fund to which both the Government and landholders should contribute. This fund according to the report should be available for use in times of scarcity. This House has expressed itself more than once that an institution of such a fund would be welcomed by the Council. It would certainly prove very convenient and handy in times of stress and stringency. I welcome this proposal, though it has been put forward by the committee in a half-hearted manner.

There is another useful suggestion with regard to the remission of postal rates on transmission of land revenue. The lambardars are not, under the present rules, at liberty to send this money through the post office. If the Government of India can be persuaded either entirely to waive the postal rates or to make a substantial reduction in them in respect of monies which are transmitted by lambardars for land revenue, it would be a very good thing. Among other things it would prevent the lambardars being forced to pay tips to the treasurer or *wasil baqi nawis*, and so on. I lend my whole-hearted support to this proposal.

There is another proposal which has been brushed aside by the committee. This proposal relates to the desirability of placing a ban on *benami* transactions. The committee has expressed its inability to suggest any real remedy against *benami* transactions beyond recourse to a civil court. The remedy in a civil court is a very expensive thing and a very uncertain thing at that. Therefore whenever it is suggested that a land holder or a debtor should have recourse to civil courts for a remedy in a matter of this kind, it is just as good or just as bad as denying all relief to him. If Government is really anxious and in earnest about giving some relief to landholders against *benami* transactions, then the plain duty of Government is to make a law that whenever land has been transferred to another landholder or to another member of an agricultural tribe not for his benefit but for the benefit of a creditor that transaction will not be given effect to either by revenue officers or by civil courts. Many cases happen every year in which A owes money to B and B persuades another debtor of his to take over the land of A and to make an entry in his *bahi* to the extent of the money that was due from A telling the new victim that the debt will not be realised from him. These transactions cannot be proved to be technically *benami* transactions because a very high standard of proof is insisted upon by civil courts, but substantially they are and ought to be regarded as *benami* transactions, and if any law is needed to give effect to this view that law should be enacted by this Council.

I will now come to certain constructive suggestions which I desire to make for the consideration of the Government. The first suggestion which I would make is that according to the report of this Committee the value of debts has gone up at least by 100 per cent., that is, a man who owed Rs. 100 before may be regarded now as having to discharge a burden of at least Rs. 200. Therefore in respect of all claims that come into courts, courts should be authorised to write off half the claim. If that is regarded as very excessive then a lower figure may be prescribed, but courts should be authorised to write off a certain proportion of the claim which comes before them for adjudication. This is a recommendation which should not be regarded

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as radical or novel. I remember having read a report made by a committee appointed in the United Provinces which recommended that in respect of money claims which come before courts the judges should be authorised to write off 25 per cent. I personally think that 25 per cent. is not sufficient, and in view of the fact that prices have gone down by more than 100 per cent. the courts should be authorised to write off anything up to half.

The second proposal which I wish to make relates to more liberal employment of zamindars in the judicial branch of the service. I may be giving offence to certain people by referring to this proposal repeatedly but it is a fact that so long as the judicial service continues to be dominated by men drawn from creditor classes, debtor classes can never expect to get full justice. This is not my view alone; the Chairman of this Committee while expressing his opinion with regard to the original Money-lenders Registration Bill said emphatically and categorically that so long as the field for recruitment of the judiciary remains what it is to-day no hope of justice to the debtor classes can reasonably be entertained, and he made a definite recommendation that in order to improve the present state of things a larger number of agriculturists should be employed on the civil judicial side. In making reference to an increased employment of agriculturists in the judiciary I will also make a reference to the advisability of having at least some judges in the High Court who are drawn from debtor classes. In the High Court, with the single exception of Mr. Shah Din, there has never been a zamindar Judge on the Bench. This is a subject which is of peculiar delicacy, and I will not dilate upon it. But I may be allowed to say that if the Government is really keen in its desire to see justice done to debtor classes, they should first see that there are at least a couple of zamindar Judges on the Bench of the High Court. If they cannot do this at least I for one despair of real justice being done to debtor classes.

Another suggestion which I would make relates to the limitation now prescribed for execution proceedings. Execution proceedings now can be taken up to twelve years, and each execution once taken out may last for three years. That means that from the date of judgment to the date of the final extinction of a decree the intervening period may be as long as fifteen years. This is a ridiculously long period. The best thing would be to limit the period of execution to three years. If that is not immediately possible I would suggest five years as a first step. After five years whether a decree has been satisfied or not the courts should not help in the realisation of any money still remaining due on a decree.

I would also suggest that a serious effort should be made to secure better facilities for marketing and to devise fresh methods of marketing. At present the zamindar finds himself in a most helpless position. He takes his cotton or wheat to *mandis*. There he is entirely at the mercy of shopkeepers or *arhtis*. These people fix the price and the zamindars have no option but to accept their terms. When once a zamindar goes out with his produce in his cart he will never bring it back, whether he gets 75 per cent. of reasonable price to which he is entitled, or less or more. This handicap can be removed by having a large number of commission shops started under the auspices of the Co-operative Department. There are some such shops at present, but they are not many. This side of the activities of the

Co-operative Department requires to be extended to a very substantial extent. So long as the zamindar is unable to get anything like a fair price for his produce, you are not helping him to the extent needed. After all, even if the whole of the debt now due from the zamindars is wiped out or written off, unless you place them in a position to keep clear of further liabilities, they will again run into debt. Therefore, whenever we speak of relieving indebtedness, we ought to have both these aspects of the question before our view, namely, that a debtor should be relieved of his present debts, and that his assets should be improved so as to enable him to avoid debts in the ordinary course of life. This can only be done if the zamindar is able to get a fair price for his produce. The only device I can think of at the moment is that marketing methods should be improved under the auspices of the Co-operative Department, and the unfortunately long chain of middlemen who separate the producers from the consumers or the wholesale dealers should be shortened. This can be done only by the Co-operative Department if it is run on sound and efficient lines.

The last suggestion which I would venture to make relates to the provision of alternative occupations of a remunerative character. At present a zamindar has nothing but his land to fall back upon. If his land continues to produce sufficient for him he will continue to live in decent comfort. If that produce falls below a certain standard either in quantity or in value, the inevitable tendency for him would be to run into debt. Therefore it is very necessary that the zamindar should have something other than agriculture as a means for augmenting his income during the slack season. It should not be difficult to find some alternative occupation to which the zamindar may resort while the season is slack or when his produce suffers a diminution by reason of a failure of the monsoon or otherwise. No attention has so far been paid to this particular question. I remember one particular cottage industry which proved very helpful to the zamindars in sub-montane districts. There was a system of doling out small quantities of silk worm seed. If I remember aright a zamindar who took out an ounce of silk worm seed was in the course of six weeks able to earn as much as Rs. 200. That is an industry which can be started easily in all sub-montane districts. Similarly, other minor cottage industries may be started in other parts of the province. What I wish the Government to realise is that unless we are able to provide further means of income to the agricultural classes we shall never be able to solve the question of agricultural indebtedness. With these remarks I resume my seat.

Chaudhri Allah Dad Khan (Ambala division North-East, Muhammadan, Rural): Sir, the report has been discussed at full length to-day, and there remains hardly any point yet to be discussed. The non-official members who have spoken about this report have condemned it with one voice as being inadequate. One or two honourable members have gone so far as to suggest that another committee on indebtedness should be appointed and that that committee should suggest further remedies for the purpose. This suggestion I am not able to support as it is altogether impracticable. The Government is not going to incur a big amount of expenditure on this account. Moreover, the labours of the previous committees should not be wasted. They have spent a good deal of time and money over it, and they should not go in vain. The best course to adopt

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in the circumstances would be to give up those bad points in the report which are unfavourable both to the agriculturists and non-agriculturists and to embody in some measure all the good points in the report. A further suggestion may also be made which the committee has been unable to put forward. Some of these suggestions have been put forward by the honourable member for Rohtak who has just resumed his seat. I will suggest one or two points which have been overlooked by the previous speakers. In paragraph 20 of the Report it is laid down—

A majority are agreed that the proposal of the Royal Commission on Agriculture should be accepted with regard to the land of agriculturists.

That means that the land of the agriculturists should not be allowed to be mortgaged even to agriculturists. I think this is a very harmful suggestion to be enacted into law. If this were done, it will lead to disastrous consequences. For instance, if a zamindar requires money very badly for paying land revenue or to conduct a case, he will have to sell his land for that amount for which he could have mortgaged it. Therefore that recommendation of the committee should not be accepted by the Government. Mortgages of land are going on to a very large extent in the Punjab. If one goes through the record one will find a very large number of mutations being attested by the revenue officers every month; and they are mostly mortgages. That shows that a good deal of need exists for a zamindar to mortgage his land. If that means of raising money is denied to the zamindar, then he will be absolutely helpless. This point has not been fully considered by the various honourable members who have already spoken. Zamindars, as the House is fully aware, love their lands more than themselves or their wives and children, and therefore there need be no fear that they will easily part with their lands. There is no need therefore to give protection in this direction and thus take away the only means of raising money for his urgent needs. If this suggestion is included in the provisions of any enactment, surely the zamindar will not be able to raise money for paying land revenue and the Government will consequently be put to difficulties. It will find the whole of the land revenue or at least a major portion of it still outstanding in every tahsil. Besides there was a promise by the present Revenue Member and by his predecessor that they were not going to move backwards or forwards in connection with the Alienation of Land Act. This provision would surely go counter to that promise. The Government should not accept this suggestion of the committee, because that will bring hardship to the zamindars. There is a proverb which is quite applicable in the present case—

مان کولون دائی هیجلی۔ پئی دی پئی

That is, if a woman is more anxious for the welfare of a child than its mother, then she is a mad woman. Why should this indebtedness committee be more anxious to preserve the zamindar's land than the zamindar himself. If this right of mortgaging is taken away from him then his land will cease to be of use to him. This limited concession should not be taken away from him.

Next coming to *benami* transactions, my honourable friend has said something about it. The committee has suggested that they are not able

to suggest any practical solution of this difficulty except recourse to civil courts. I daresay that if you give powers to tahsildars and naib-tahsildars in this matter the difficulty can easily be solved. In each tahsil there are hundreds of *benami* transactions going on which even a child can find out. Therefore the tahsildars and naib-tahsildars are in a position to find out such *benami* transactions very easily. But my experience is that whenever a case is reported to high officers, they never take notice of it. The thing is that most of the deputy commissioners are not sympathetic towards the zamindars. There is already a provision in the Alienation of Land Act which says that any alienation made in contravention of the provisions of this Act shall be void. Therefore if he is satisfied that a particular transaction is a *benami* transaction—and this can be found out even at a glance—he can at once sanction the rejection of mutation. But the pity of it is that the deputy commissioners do not take any note of it, and hundreds of cases of *benami* transactions are allowed to take place every month. I ask, what is the use of this Alienation of Land Act if you are not going to administer it properly? I have just to-day brought out in a number of questions the failings of the Deputy Commissioner in the Gujrat district. Not only one deputy commissioner, but successive deputy commissioners have given sanction for permitting the land of the agriculturists to be mutated in favour of another non-agriculturist. There are a number of mutations in each year ranging from 1922 to 1932 where many of these mutations have been sanctioned under the orders of the deputy commissioner. The deputy commissioners give special sanction for alienating the land of the agriculturists to non-agriculturists. This is the sort of sympathy which the deputy commissioners have for the poor zamindars. You will find a huge number of mutations being allowed in this way and the number of such mutations in any area in the Punjab is simply as much or at least half as much as it was when the Alienation of Land Act was brought into operation. So if you want to save the zamindars from the clutches of the money-lenders, you should give your full attention to this Act and to the working of it. I think these remarks should open the eyes of the Government if they are not already open, and I have no hesitation in saying that if they make up their mind, they can make this Act work as effectively as it was intended to be worked. But it is their apathy which is the cause of this sorry state of things which has been made still worse by the recommendations of this committee. The view of the minority is expressed in paragraph 23. I do not think the Government will accept the views of the minority, but sometimes even the views of the minority are accepted in preference to the views of the majority, and if paragraph 23 is accepted either partially or totally, it will destroy the remaining value of the Alienation of Land Act. The zamindar members cannot and will not part with this Act as long as they are living. This Act is dearer to them than their very life, their very existence, and I think that when I am saying this I am voicing the views of all the zamindar members of this House whether present here or absent, whether Hindus, Sikhs or Muslims. This recommendation contained in paragraph 23 should be rejected. It should not be given effect to. Another recommendation which has already been discussed but not fully is one with regard to the exemption of the land of the debtor for his maintenance. It has been laid down in paragraph 12 that the whole of the land should be allowed to be mortgaged temporarily in order to allow him to get rid of the

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debt. But there is one difficulty about it. If the whole land is taken away it is said that he will continue to cultivate as a tenant. But suppose in one year he does not give proper rent for it. Then the way is open and notice of ejectment is served upon him and the man has to leave the land. Then what will he do? He has no alternative but to starve and die. I was surprised to hear the question put by the Honourable Minister for Local Self-Government—I am sorry he is not in his seat just now, but he ejaculated—why not, why has he no other alternative? He does not know that the zamindar cannot keep a shop. He cannot do any other work except cultivation. He is not an industrialist. He cannot turn his head to any other vocation. He cannot have sugar mills because he has no capital. Perhaps the Honourable Minister was thinking of opening of sugar mills. As somebody remarked, the Honourable Minister may be called an intellectual pigmy. I was very much surprised when he said, "if you take the land from the zamindar he can do many things." But what can he do? It is very surprising that such a man who is so much advanced in knowledge and learning seemed to be an intellectual pigmy. It was an insult to the zamindar members. The farmer lives far away in a village, and he cannot do anything else but cultivate. He says, "I cannot count even up to 20, how can I keep a shop?" Then it is said that he may become a blacksmith. But he has never handled a hammer. Of course the only alternative for him is to die. Perhaps the Honourable Minister meant only that. By putting that question he has indicated the attitude that some people have towards the zamindars, the zamindars upon whom they are living and these zamindars who are the main-stay of the Government and who supported the Government in the past in times of necessity. Not only the Government but all civilised society had been living at the expense of the zamindars. My honourable friend, Shaikh Din Muhammad said that the report was written to placate the non-agriculturist members. I am only sorry for my agriculturist friends who were on that committee. Once or twice they differed from the rest of the committee, but in many provisions they have agreed. They should have shown their attitude much better than the Honourable Minister for Local Self-Government. They should have shown a better appreciation of the difficulties and troubles of the zamindars.

As regards constructive suggestions, I have already submitted several points; but there is one point which is not referred to in the Report. I say that if the Punjab Government had the power they should declare a moratorium for at least two years. (*An honourable member*: An absolutely bad proposal). I put it before you for what it is worth. It has been suggested in this report that the zamindar as long as he depends on agriculture will be in this condition. This is a very correct observation. I quite agree with it. But I say that zamindars cannot do anything else except to take service under the Government. Therefore Government should take it into its head to employ more and more of zamindars in its service. The resolution is already there, but I am sorry to say that Government has not risen to the height of the requirements up to this time. If you take the census of all the Government servants you will find that the zamindars are not 66 per cent. Nay, they will not be found to be even 20 per cent. So you

should increase the number of zamindars in Government service. That will give them additional vocation, additional calling. They are very good in Government service, and as far as I know most of the zamindar members have given best account of themselves. I myself see several zamindars here—

Mr. President : The honourable member will please speak to the motion.

Chaudhri Allah Dad Khan : I am implementing my arguments by instances.

Mr. President : The honourable member will please speak to the motion under discussion.

Chaudhri Allah Dad Khan : Sections 16 and 17 of the Report refer to arbitration board in the United Provinces, and it has been suggested that those very methods adopted in the United Provinces should be adopted here. In the next paragraph the committee proceed to state that it is a strange proposal and yet they accept it. But though they say that the conciliation board should be appointed here it should not be with all the powers with which it is working in the United Provinces. They suggest that if the board certifies a certain amount of debt as due, the deputy commissioner should proceed to recover it as an arrear of land revenue. This provision is very hard, and it cannot be allowed to work in the Punjab. You are aware that when a conciliation board is appointed both the debtor and the creditor come and sometimes they agree to pay the debt which is time-barred—the debt which is not due with huge amount as interest. So if that amount is certified, it will be very hard on the zamindar. If you accept the proposition to appoint a conciliation board in the Punjab, do not give them the power to certify this debt. They should go to a regular court to prove the debt. The help of these men should not be utilised for this purpose because it will be to the ruin of the zamindar. They will say, this man admitted so much money as due before us. So the man will suffer more than he is benefited under this scheme. If they can bring about immediate settlement it is well and good. But do not depend upon the men to certify as due. That will take away the merit of the system. In that way it is a novel suggestion—in a sense which was perhaps lost sight of by the committee.

Then there is a small provision with regard to the declaration of a man as insolvent. It is said in paragraph 20 that it should be accepted up to Rs. 500. There is no harm if it is allowed to extend up to Rs. 2,000. I am referring to these matters very briefly because the time is up.

The Honourable Captain Sardar Sir Sikander Hyat Khan : The honourable member has already spoken for more than 25 minutes.

Chaudhri Allah Dad Khan : Just a word with regard to paragraph 15. It is stated there that officials should be appointed official receivers. This is a very sound suggestion, because the non-official receivers have done a good deal of havoc in insolvency cases, and I may point out—it may be your personal experience, you were such a leading lawyer having dealt with many cases—that these non-official receivers are a curse. They have ruined many a man, and if I had time I would have pointed out instances. The officials are much better, and I say the tahsildars will be the only persons

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who can do this business well, provided they are paid the same allowances as are paid to the non-official receivers. Otherwise there is no good. Because the tahsildar is already over-worked, and if you pay him the same commission regardless of his pay as you pay to the non-official receiver, you will see how the scheme will work. This suggestion should be carefully considered by the Government, and I would have made this point as convincing as possible, if I had the time. But this brief remark should be sufficient for Government to take action. With these words I would bring my remarks to a close.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member): Sir, I do not propose to enter into the merits of the various recommendations made in

6 P.M.

the Report or the various suggestions, constructive or otherwise, made by the honourable members opposite. All that I want to say is that the views expressed by the honourable members to-day would be of considerable value to Government when we consider and examine the report of the committee. There are two statements made in this House in the course of discussion which, I think, it is necessary to contradict. One was made by the honourable leader of the Unionist Party with regard to the composition of the committee. I was sorry to hear him criticise the personnel of that committee on the ground that it was anti-zamindar. Now, Sir, if you look at the names of the members of the committee you will find that there are seven members altogether, of whom only two are officials and one of them was put by me at the request of several honourable members of this House, as his sympathy for the zamindars is well known, and he is considered to be an authority on economic matters and difficulties concerning Muzaffargarh and districts of the Western Punjab—I am referring to Mr. Anderson. It was at their request that we put him on the committee. Out of the five non-official members there are no less than three representatives of the zamindars. In view of these facts, it is, I consider, very unfair and unjust on the part of the Leader of the Opposition to criticise the composition of that committee, and at this stage. It was equally unfair on his part to suggest that the committee was ruled with an iron rod by the Chairman and official members or the members had been pitted against each other. If that had been the case, I am sure that the representatives of the zamindars would have appended a minute of dissent. But if you will see this report you will find that there is only one minute of dissent, and that by two members of the non-agriculturist group in this House. I am sure the House will agree with me that these remarks by the Leader of the Opposition were uncalled for. There is one other statement or rather mis-statement which I should like to correct. The honourable member from Ambala has, as usual, made wild and untenable assertions. Among other things he said that deputy commissioners were very unsympathetic towards the zamindars, and that is why *benami* transactions are on the increase. He has been a tahsildar, and should have known, and if he does not know, he should take it from me that the deputy commissioners have no power to stop transactions where one zamindar sells land to another zamindar. How can he then stop these sales? I hope the honourable member would in future, if he can help it, which I doubt, refrain from making irresponsible statements and casting such uncalled for and wholly unjustified aspersions (*cheers*).

The Council then adjourned sine die.

PUNJAB LEGISLATIVE COUNCIL.

Thursday, 27th July 1933.

ADDRESS BY HIS EXCELLENCY THE GOVERNOR.

His Excellency the Governor arrived in procession with the officers of the Council and his personal staff at 12 noon and took his seat on the throne.

His Excellency the Governor then addressed the Council as follows:—

MR. PRESIDENT AND MEMBERS OF THE PUNJAB LEGISLATIVE COUNCIL :

It seems to me but a short time since I was a member of this Council, privileged to sit, Sir, under your authority, to take some minor part in debate and to learn at first hand the spirit of practical co-operation that has animated the proceedings of the Council from its inception more than 12 years ago. My personal relations with you, Sir, and with many members of the Council, have continued unbroken, and I esteem it a great privilege to have been given the opportunity not only of renewing my official connection but of making new friends among those who have come to the Council during the past three years.

We, in the Punjab, have been accustomed to look to our Legislative Council as a mirror of public opinion in the province. We have come to regard it as complementary to the administrative machine, ready to give its support to the executive Government in all reasonable measures, sober in its criticisms and, above all, moved by a sincere desire to promote the welfare of the people it represents. There is no aspect of public life in the province with which the Council is not closely concerned, and if to-day I refer to a few subjects only, it is not that I do not recognize the scope and variety of interests which demand and receive your thought and deliberation.

I propose to devote the greater part of what I have to say to the economic situation and that for two reasons. There is no class or community which it does not affect, and, as the list of business shows, one or other aspect of it will occupy the major portion of your session. First, I would attempt an analysis of the position as Government see it. We have had occasion recently to call for reports from some of our officers, and they show a remarkable measure of agreement in the appraisal of the main elements of the situation. The catastrophic fall in prices was so sudden that there was neither time nor opportunity for gradual adjustments. After a period of prosperity such as the province had never previously approached, it was thrown back on conditions which seemed to spell economic and social disaster. By the middle of 1931 the price of wheat had fallen to Rs. 1-40 per maund, and other kinds of produce had shown a similar decline. For a time it seemed as though agriculture had ceased to be a paying proposition.

There has been a serious depletion of the reserves built up during the years of prosperity. There has equally been a general restriction of credit.

The credit system, it is true, has not been brought to a complete standstill. Indeed, it is still serving the bare necessities of the rural population, but many of its normal functions are in suspension. The debtor is, generally speaking, unable to meet more than the obligations of his current account. He cannot pay the interest on his previous debts, and the burden of these expressed in produce has increased in proportion to the fall in prices. The accumulation of interest is adding steadily to his liabilities. The creditor is in no better case. His normal business has contracted with the decline in resources. The countryside is unable to support the same number of traders as during the times of prosperity, and there has been a tendency, though only slight, for members of this class to migrate to the towns. It is difficult to sell goods and to recover debts. The larger money-lenders are less willing to finance the smaller, and the latter, in turn, scrutinize more closely the security offered by their clients. Side by side with the reluctance to make advances, is a very definite and healthy unwillingness to take them. There is growing among the agriculturists a realisation of the evils of debt, and one perhaps is not too optimistic in hoping that this feeling contains the germs of a real movement towards thrift. Tending in the same direction is the adjustment of standards of living to the new conditions. Our reports go to show that the reduction in expenditure has been general, although the extent of the economies effected naturally varies from class to class. Among the small holders of land and cultivators the reduction is put as high as 50 per cent., and there is general agreement that among them there is little, if any, further scope for economy. Fortunately, there is no reason to suppose that there has been anything in the nature of privation or any lack of the actual necessities of life. Even in the Hissar district where the economic crisis has been accompanied by a succession of bad harvests, the extent to which relief has been necessary is surprisingly small, and this despite the fact that Government, by the opening of test works and other measures, have consistently shown their desire to help where help was necessary. The people everywhere have been able to carry on but it has meant the curtailment of most of the comforts and amenities of life which the prosperous years had made possible. There has been a reversion to a standard of living, which, so far at least as our richer districts are concerned, we had come to regard as a thing of the past.

The picture I have so far presented is a gloomy one. There are happily redeeming features. Prominent among them is the upward movement of agricultural values. The price of wheat has gradually risen from a minimum of Re. 1-4-0 per maund to nearly Rs. 3, and a most gratifying feature of this rise has been the maintenance of prices during the season when many producers are placing their crop on the market. For the first time for several years the value of other grains has shown a similar tendency. The price of cotton has fluctuated, but in spite of disturbing factors, its present value compares favourably with the minimum to which it fell.

It would be a bold man who in view of the confusion of world forces would attempt to forecast the future with any degree of assurance, but there is at least ground for hope that the worst of the storm is over. Apprehension regarding the future of agriculture is less intense than it was, and with a return of confidence it is reasonable to expect that the machinery of credit will become less clogged. There is money in the province seeking

investment, although only a small portion of it is in the hands of agriculturists. Co-operative banks are receiving large deposits for the profitable employment of which they find difficulty, for the primary societies have had to proceed cautiously with the grant of fresh advances. Nonetheless, the amount actually advanced by co-operative bodies during the past year was over Rs. 38 lakhs, and they are in a position substantially to increase this amount as soon as the agricultural position allows.

I have said that there has been a serious depletion of reserves; but primary resources have been little affected. There has been no marked increase in transfers of land; cattle and the other implements of agriculture are sufficient; and the cultivator is able to obtain adequate supplies of seed. We have in our canals the finest system of irrigation in India and perhaps in the world; and the prevalent system of grain rents adjusts itself automatically to the rise or fall in prices, and thus avoids the clash of interests between landlords and tenants that occurs elsewhere. And most important of all is the spirit of the people—an intangible asset, but of incalculable value. Throughout their misfortunes they have shown the utmost fortitude, and, on behalf of Government, I would like to express our most sincere admiration for the manner in which they have stood up against and battled with a storm that at one time threatened to overwhelm them. They have more than upheld the reputation of the Punjab for courage and enterprise, and I can perhaps pay no greater tribute to their loyalty than by saying that, in face of real sacrifices, they have kept unimpaired the tradition that the payment of Government dues is a matter of honour, and that failure to do so is a social stigma. With our resources and with a people ready, in co-operation with Government, to make the fullest use of them, we need not be apprehensive regarding the future, provided always that the forces beyond our control do not completely undermine the foundations of our economic system.

Members of Council will wish to know the policy of Government in the conditions I have described. They will realize that so far as improvement is dependent on the operation of world forces, the Local Government can do little to influence them. So far as it is dependent on other Governments in India, we will continue to watch carefully the interests of the provinces and, when necessary, to urge our claims for consideration. Of this character is the retention of the import duty on wheat and the question of railway freights on agricultural produce. Coming to measures which are within our own power to take, I would repeat the assurance I have already given on several occasions that there will be no change in the generous land revenue policy followed by Government under my distinguished predecessor. We will continue to give relief where it is necessary, in accordance with both the normal procedure that governs the suspension and remission of land revenue, and the special procedure adopted as an emergency measure to meet the entirely abnormal fall in the values of agricultural produce. In the latter connection, I may mention that we have granted, for the last *rabi*, remissions of land revenue of over 9 lakhs on account of the price factor alone. This is in addition to suspensions and remissions granted under the ordinary rule.

Next, there is the question of water rates, a matter in which I know the Council is most keenly interested. During last session the Honorable

Minister for Revenue, on behalf of Government, accepted in principle a resolution of your Council which recommended the appointment of a committee to examine this subject. In redemption of the pledge then given, Government have recently appointed a committee, composed largely of members of Council, with the following terms of reference:—

To consider and report, whether in view of the present economic conditions, any readjustment of occupiers' rates is necessary, and if so, how this can best be effected with as little loss as is practicable to provincial revenues."

These terms follow very closely the wording of the original resolution, and they embody by implication two principles which, I think, the Council will recognize as inseparably associated. The first is the desirability of some adjustment in the existing scale of water rates; the second is the existence of a limiting factor, namely, the extent to which provincial revenues can afford to give relief. Now, I have myself no doubt that, having regard to the economic conditions now prevailing, the committee can, if they wish, make out a case for a substantial reduction of the Government revenue from this source. I have equally no doubt that in making their recommendations they will pay regard to what is practicable, rather than to what would be theoretically desirable if it were possible to draw from a bottomless purse. I hold this belief, because members of the Council in dealing with this particular question in the past, and indeed with all matters which affect provincial finances, have taken a practical view of the problems which confront it and the provincial exchequer, and while jealously guarding the interests of their constituents, have not lost sight of the general issue of financial stability. I need hardly assure the Council that Government will give their most careful consideration to the recommendations of the committee, when received, and that, in the meantime, its appointment is an earnest of our desire to do what we reasonably can in this direction.

The re-settlement of the Lyallpur district will be taken in hand early in the cold weather.

Any substantial expansion of the beneficent activities of Government must wait upon the improvement of the financial position. Government are at one with Council in deploring this necessity, but its very existence places an obligation on all of us to see that what money is available should be wisely spent. Fortunately, the foundations of our beneficent departments were firmly laid during the days of prosperity, and those foundations remain. While the Ministers to whose charge they are committed regret the loss of the wider opportunities they formerly enjoyed, they are engaged in consolidating the position already achieved, in pruning away what is redundant or inefficient, and in establishing a standard of effort and attainment which in some measure will compensate for the contraction of financial supplies. They have refused to admit that financial stringency connotes stagnation; and I believe with them that the administration generally will emerge from the present period of adversity, better equipped in many ways to meet the needs and aspirations of the people whom it serves.

There is one direction in which we believe it is possible, within our resources, to extend the activities of Government for the material benefit of the people. I refer to the wider application in the field of the proved

results of agricultural experiment and research. In regard to other crops, the Agricultural Department are now in a position to make specific recommendations which, if followed, will materially increase the outturn of the cultivators. I need give only one instance. The average area under wheat each year in the province is approximately 9 million acres. It is estimated that of this area between two and three million acres are sown with varieties of pure seed recommended by the department, and that a further area is sown with mixed seed. There remains a very large area, which at a conservative estimate may be placed at five million acres, in which high yielding varieties of seed are not sown. The average advantage from the use of departmental seed may be taken at two maunds per acre. Here is an opportunity of adding to the resources of those dependent on land, and there appears to be no reason why, given the necessary organization, the use of superior seed should not become practically universal in the Punjab. The results of the Agricultural Department have attained that measure of certainty at which it is both safe and practicable to enlist the assistance of other departments in extending their application. A scheme is now under examination by which the practical co-operation would be secured of those departments whose work naturally brings them into contact with the people. I refer in particular to the Revenue, Co-operative and Irrigation Departments. Apart from the material benefits which Government believe would accrue to the people, the scheme would have the further advantage of bringing officers into closer touch with the needs of the cultivator. Government will have the opportunity within the next few days of discussing this and other agricultural questions with representative zamindars of the province, and I should like to say on behalf of my colleagues and myself how heartily we welcome any constructive proposals which will help the people and, therefore, Government, in surmounting the difficulties which beset us.

There is one other matter in connection with the economic situation to which I would refer, namely the problem of agricultural indebtedness—in some ways the most difficult of solution. I am not, at the moment, in a position to make any pronouncement of policy on behalf of Government, since the case is still under examination, but I can assure the Council that it is receiving and will receive our most careful consideration. I can also say that in our search for remedies we shall not lose sight of what seem to be three fundamental principles: first, the undesirability of measures which would have the incidental effect of depriving the debtor of protection he now enjoys, and would leave his position worse than it is; second, the right of the creditor to fair play, remembering, however, that in very many cases the paper amount of the debts owing to him is in excess of his reasonable expectations of recovery; and third, the necessity of avoiding measures that might seriously endanger the system of rural credit.

I have dwelt at such length on economic matters that I must of necessity touch briefly on other subjects. The financial position of the province is well known to the Council. Not many years ago it was the custom to describe Indian budgets as a gamble in rain. In present conditions our provincial budget is largely a gamble in prices. Their level not only seriously affects our revenue, but also determines the claims for extraordinary relief. As long as uncertainty continues regarding the upward movement of agricultural values, so long will our position be one of unstable equilibrium.

brum, the delicate balance of which may be easily upset by disturbances either on the revenue or expenditure side to which we would have paid comparatively little attention a few years ago. The Council is not likely to overlook this essential fact. It will equally not forget that it shares with Government a position of trust, the responsibilities of which are the more exacting, because, subject to the will of Parliament, both Government and the Council will shortly hand over their trusteeship to others. It is particularly incumbent on us that we should not embarrass the Governments of the future by ill-considered action. We have great resources which await only favourable times for their development, and our credit has risen with the success with which we have so far weathered the economic storm. Provided that we continue to exercise reasonable care and caution, we shall leave to our successors a financial machine in sound and running order.

On more than one occasion it has been the misfortune of my predecessors to address the Council in circumstances which made it necessary for them to deal at some length with matters affecting law and order. I am in a happier position. The peace of the province is at present undisturbed by any subversive movement, and I would like to express the appreciation of Government both to the people of the Punjab and to the Legislative Council for their contribution to this happy result—to the people for the manner in which, as a body, they have refused to associate themselves with the programme of those who would undermine the foundations of Government, and to the Council for the support it has uniformly given to Government in granting the powers necessary to control the mischievous actions of a small and misguided minority. In particular, both have shown in no uncertain manner that they hold in hatred and contempt those who would vainly try to terrorise the community and the administration by the methods of secret assassination. So far at least as this province is concerned, the people and the Council have furnished the reply to those who doubt the wisdom of the present proposals relating to the transfer of law and order to responsible ministers.

In regard to the future constitution in general, I would repeat what I said a few weeks ago in reply to an address of welcome :

As the time approaches for the introduction of the new system of Government, there is a growing tendency for thoughtful men to appreciate the real value and importance of stability in the administration and to recognize that without it, it will not be possible to secure the conditions inseparable from orderly Government. Further, I believe that the conviction is growing that, in the peculiar circumstances of the Punjab, an essential condition of stability under the new constitution will be the ability of the various communities to work together. If that condition is satisfied, I have myself no doubt about the success of the Reforms. And I do believe that it will be satisfied, because the sound sense of the people will compel them to recognize the inevitability of the condition I have mentioned. Unless, therefore, the province abandons its traditional habit of adjusting itself to facts, the Reforms must, in their working and whatever the form of electorate may be, of necessity compel greater concord between various sections of the population.

Since I made those observations, I have had opportunities of confirming the view that attention is being directed in an increasing degree to the importance of obtaining a Government which will ensure stability by the only means possible, namely, through the general confidence it will inspire in all sections of the people. If expectations are fulfilled, there remains but a short time before the province will be under a system of Government

very different from that which now obtains. I can conceive no better way in which all who are interested in the success of the reforms can spend the intervening period than by helping to secure the conditions of stability which all must regard as essential.

When the time comes for the Council to give over charge to a body more widely representative and with far larger powers, it will have the satisfaction of knowing that it has itself contributed mainly to its own supersession, by the sense of responsibility it has consistently shown, by the political consciousness it has developed in the province and by the claim it has made good to a further advance along the road to complete self-government. To you, Mr. President, will be the additional satisfaction of knowing that you have presided over the destinies of the Council through difficult years and that you have established traditions of parliamentary procedure and debate, which will be a guide to the conduct of future Councils.

His Excellency the Governor then left the Chamber and the proceedings terminated.

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PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Thursday, 27th July 1933.

THE Council met at the Legislative Assembly Chamber, Simla, at 2-30 P.M. of the clock. Mr. President in the chair.

OATH OF OFFICE.

THE following members were sworn in—

- Mr. C. M. G. Ogilvie (Home Secretary) ;
- Mr. Miles Irving (Financial Commissioner, Development) ;
- Mr. J. D. Anderson (Legal Remembrancer) ;
- Mr. T. B. Tate (Chief Engineer, Irrigation) ;
- Mr. J. E. Parkinson (Director of Public Instruction) ;
- Mr. F. B. Wace (Registrar, Co-operative Societies) ; and
- Mr. B. M. Staig (Secretary, Electricity).

STARRED QUESTIONS AND ANSWERS.

DACOITY IN THE HOUSE OF Mst. RUKMANI OF JANDI.

***2454. Chaudhri Bansilal :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that a dacoity took place in the house of Mst. Rukmani of village Jandi, police station Haryana, district Hoshiarpur ;
- (b) whether it is a fact that she came to the police station and her report was not recorded ;
- (c) whether it is a fact that the sub-inspector went to the village and there threatened her not to make the report and beat her uncle ;
- (d) whether it is a fact that the said woman had lodged an application to the superintendent of police alleging the above facts ;
- (e) what action the Government intends to take in the matter ?

The Honourable Sir Henry Craik : (a) The question as to whether a dacoity was committed or not is still under investigation.

(b) Her report was recorded in the daily diary of the police station and a case has been registered.

(c) No.

(d) Yes.

(e) The matter is still under investigation.

***2455. Cancelled.**

ENQUIRY INTO THE CONDUCT OF CERTAIN REVENUE OFFICIALS.

***2456. Sayad Mubarak Ali Shah :** Will the Honourable Member for Revenue please state—

(a) whether his attention has been drawn to a recent judgment of a court at Campbellpur in case No. 47/25, 87/169 of Campbellpur civil bazaar, *re* Muhammad Akbar Khan *versus* Abdul Karim decided on 18th June 1932, in which the conduct of certain village revenue officials has been most adversely commented upon.

(b) if so, whether he is prepared to institute regular enquiry into the conduct of these revenue officials?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Yes; if by 'village revenue officials' the honourable member means 'village officials.'

(b) The matter is *sub judice* and no separate enquiry is deemed to be necessary for the present.

Mian Nurullah : What are the allegations against the revenue officials?

The Honourable Captain Sardar Sir Sikander Hyat Khan : This relates to the Attock district.

Mian Nurullah : May be any district, that does not matter.

The Honourable Captain Sardar Sir Sikander Hyat Khan : The case is *sub-judice* and I am not prepared to have a separate inquiry made into the charges.

COMPULSORY RETIREMENT OF SHAIKH ABDUL AZIM, DERAJAT CIRCLE.

***2457. Shaikh Muhammad Sadiq :** With reference to reply to Council question No. 12188 asked on 27th February 1933, will the Honourable Member for Revenue please state how many warnings were given to each of these subordinates, *viz.* :—

B. Ram Singh;

B. Rup Chand; and

B. Sampuran Singh?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Two warnings were given to Ram Singh.

One warning each was given to Rup Chand and Sampuran Singh.

PUNJAB FRANCHISE COMMITTEE REPORT.

***2458. Dr. (Mrs.) M. C. Shave :** Will the Honourable Revenue Member please state whether the report of the Punjab Franchise Committee will be laid before the Punjab Legislative Council and an opportunity given for its discussion?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The Provincial Franchise Committee which is purely an advisory body is not required to submit a formal report. A copy of the report of the proceedings of the Committee is laid on the table.¹ If the House evinces a desire to discuss it Government will be glad to afford an opportunity for the purpose. I should however like to make it clear that the deliberations of the Provincial Franchise Committee have been by way of exploration only and in no way prejudice the decisions of Parliament on the future franchise and matters connected therewith.

DAMAGE TO CROPS BY HAILSTORM.

***2459. Chaudhri Allah Dad Khan :** Will the Honourable Revenue Member please state—

- (a) whether he is aware that the *rabi* crops of the following villages in the Karnal district were almost entirely destroyed by a hailstorm on the 19th March 1933—

Dhokala, Kalsana, Monpur, Madanpur, Malakpur, Gumti, Shahabad Patti, Shah-Zadpur, Mamumajra, Kalsani, Nagta, Salkhoni, Madudan, Jarauli Kalan, Nahar Majra, Mohiddinpur, Boripur, Goripur, Jainpura, Kalayana Patti, Samalkha, Saidpura, Halda Heri, Sonalkhi, Chhorpur ;

- (b) whether a report was made of the damage mentioned in (a) by the patwaris concerned to the higher officials immediately after the calamity ;

- (c) whether the tahsildar concerned or the Revenue Assistant, Karnal, visited these villages immediately after the occurrence of the calamity mentioned in (a) ;

- (d) if the answer to (a) is in the affirmative, what action Government intends to take in the matter ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The villages mentioned were affected by hailstorms, but with the exception of village Chhorpur the damage was nowhere extensive.

- (b) and (c) Yes.

- (d) Remissions have been allowed where necessary.

REMARKS BY A TAHSILDAR OF JAGADHRI, IN THE BOOKS OF ZAILDARS AND SUFEDPOSSES.

***2460. Kanwar Mamraj Singh Chohan :** Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that a tahsildar of Jagadhri has written remarks in the books kept by zaildars and sufedposhes of the tahsils ;

¹Kept in the Library.

[K. Mamraj Singh Chohan.]

- (b) whether it is a fact that in these books there are no remarks of any previous tahsildars ;
- (c) the general practice in the province as to the writing of books by the tahsildars ;
- (d) the instructions of the Government on this point ;
- (e) what Government intends to do in the matter ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (c) (d) and (e) The instructions of Government are that no officer below the rank of an extra assistant commissioner should record entries in the books of *zaildars* and *sufedposhes*. Through an oversight, however, paragraph 348 of the Land Administration Manual mentions in this connection " officers of gazetted rank ", in which category tahsildars are included, instead of ' officers of the rank of an extra assistant commissioner ', and this has led to variations of practice. A suitable correction slip to paragraph 348 of the Land Administration Manual is being issued.

(a) and (b) In view of the above it is not proposed to proceed further with this portion of the question.

Mian Nurullah : Were these books brought to the tahsildar voluntarily or did he ask for them ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I cannot say.

SUB-INSPECTOR OF POLICE, RADOUR.

***2461. Chaudhri Allah Dad Khan :** Will the Honourable Finance Member please state—

- (a) if he is aware that the sub-inspector of police at Radour in the Karnal district, has got relationship with the Rajputs of Nachron and Pahlewaia villages, in his thana, through Surat Singh of Padhoma, to whose daughter the said sub-inspector is married ;
- (b) whether the facts in (a) are known to the Superintendent of Police, Karnal ;
- (c) whether he is aware that the Hindus of Nachron and other neighbouring villages were up in arms against the intended sacrifices of Rajheri village on the occasion of last Bakar'Id festival ;
- (d) what arrangements were made to meet the situation indicated in (c) above and what they cost the Government ;
- (e) if the answer to (b) is in the affirmative, why the sub-inspector was posted to Radour ?

The Honourable Sir Henry Craik : (a) No. No relationship by marriage has been traced in the Radour jurisdiction.

(b) The fact that the sub-inspector is married to the daughter of a resident of Padhoma is known to the superintendent of police.

(c) This part of the question bears no relation to the preceding parts. Communal trouble in Rajheri dates back three or four years, while the sub-inspector was posted at Radour only in August 1932.

(d) A small police party was sent to reinforce the Radour police station temporarily but did not go to Nachron or Rajheri. The cost involved was Rs. 23.

(e) Does not arise.

Chaudhri Allah Dad Khan : I want to know from whom the inquiries were made as to the relationship of the sub-inspector.

The Honourable Sir Henry Craik : From the police authorities of the district.

Chaudhri Allah Dad Khan : Was it stated in the report that the daughter of Surat Singh is not married to the sub-inspector ?

The Honourable Sir Henry Craik : I have said that Surat Singh's daughter is married to the sub-inspector of police at Radour.

Chaudhri Allah Dad Khan : Was it stated in the report that he had no relationship in the Radour jurisdiction ?

The Honourable Sir Henry Craik : I may point out that Padhoma is not in the Radour jurisdiction.

Chaudhri Allah Dad Khan : I may tell you that Nachron and Pahlewala are in the jurisdiction of the Radour police station, and the reply given is wrong as Surat Singh has relations in those villages.

The Honourable Sir Henry Craik : The honourable member must give me notice.

*2462. *Cancelled.*

DAMAGE TO CROPS.

*2463. **Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) whether a *communiqué* on the subject of the damage done to *rabi* crops by the abnormal weather in April and May was issued by the Government ;
- (b) whether the extent of damage was estimated in that *communiqué* to be roughly one anna in the rupee ;
- (c) the last date in May up to which damage had been taken into account in framing this estimate ;
- (d) the dates on which rain fell, accompanied or unaccompanied with hail, subsequent to the date referred to in (c) at all the reporting stations in the Rohtak district in the period ending on the 20th June ;
- (e) whether the reports on which the estimate of damage referred to in (b) was based, emanated from *patwaris* ;
- (f) whether opinions were invited from any non-official associations or individuals before local officers framed the estimate referred to in (b) ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : If the honourable member's question relates to *rabi* 1933 the answer is—

- (a) no such *communiqué* was issued.
- (b) to (f) Do not arise.

SALE BY AUCTION OF LAND BELONGING TO AGRICULTURAL TRIBES.

***2464. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly place on the table of the Council a statement showing by districts the amount of land belonging to agricultural tribes sold by auction during the period intervening between the High Court ruling relating to the sale of an insolvent agriculturist's land and the amendment of the Land Alienation Act?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The question is not quite clear. If the honourable member is referring to the Honourable Mr. Justice Dalip Singh's ruling, which was subsequently reversed by a Division Bench ruling, the amount of land sold during the period intervening between the two rulings, will be found in the statements at pages 8-9 of Volume XX, No. I of the Council proceedings of 1931.

EDUCATIONAL ADVANCE AMONG DIFFERENT COMMUNITIES.

***2465. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) whether it is a fact that in the quinquennium ending 1931-32 all classes and communities including Muslims, Sikhs, depressed classes and criminal tribes have shown a decided advance in the field of education, but Hindus have suffered a distinct setback;
- (b) the exact measure of advance in the case of other communities and of setback in the case of Hindus;
- (c) the causes of this setback among Hindus;
- (d) the relative figures for agriculturists in each of the three communities in the quinquennium ending 1931-32 and in the preceding quinquennium;
- (e) how the setback among Hindus is shared by agriculturists and non-agriculturists respectively?

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

REDUCTION OF VERNACULAR TEACHERS.

***2466. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) the number of vernacular teachers, if any, brought under reduction in 1931 and 1932 by each of the district boards in the province;
- (b) the shrinkage in the number of scholars in (i) the primary stage, (ii) the lower middle stage and (iii) the upper middle stage in the districts of Rohtak, Hissar, Karnal and Gurgaon in 1930, 1931 and 1932 respectively?

The Honourable Malik Sir Firoz Khan Noon : The information is being collected and will be supplied when ready.

STATUTORY HINDU AGRICULTURISTS IN EDUCATION DEPARTMENT.

***2467. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) the number of statutory Hindu agriculturists serving as head masters of Government high schools or district inspectors of schools in the province;
- (b) the number of men in Rs. 110—140 grade who have held at any time during the last five years or are holding at present charge of a district or of a high school whether temporarily or permanently;
- (c) whether any of the men referred to in (b) have ever been or are statutory Hindu agriculturists?

The Honourable Malik Sir Firoz Khan Noon : (a) One.

(b) Eighteen.

(c) Yes.

APPOINTMENT OF DEPUTY INSPECTORS OF SCHOOLS.

***2468. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) whether the appointment of two deputy inspectors of schools per division is under contemplation;
- (b) if the answer to (a) is in the affirmative, what are the special grounds which justify these appointments at a time of financial stringency;
- (c) whether, if these appointments are made, the Government intends to give any of these appointments to statutory Hindu agriculturists and if so, whether by promotion or by direct recruitment?

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

(b) (i) No extra expense to Government except in regard to travelling allowances is involved. The posts were provided from the existing cadre of the Punjab Educational Service (Class II).

(ii) On account of the expansion of education both vernacular and anglo-vernacular, inspectors have constantly complained that with one deputy inspector they find it almost impossible to cope with the ever increasing work. Accordingly three divisions out of five are already provided with two deputy inspectors each and it is soon proposed to give each of the remaining two divisions also a second deputy inspector. The second deputy inspector will be in charge of the vernacular education in each division. Besides initiating experiments and introducing plans and devices with a view to giving rural bias to education in village schools, he will assist the inspector into looking more closely into the work of district and assistant district inspectors of schools and to supervise vernacular schools, libraries, adult schools, village uplift, etc.

(c) The claims of all officers likely to make suitable and efficient deputy inspectors will be considered, due regard being paid to seniority.

APPOINTMENT OF STATUTORY HINDU AGRICULTURISTS AS DISTRICT INSPECTORS OF SCHOOLS.

***2469. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) the nearest date by which the Department of Education expects to be able to select two or three statutory Hindu agriculturists to be district inspectors of schools ;
- (b) if, after taking all the relevant factors into consideration, the department finds itself unable to select suitable men for the post of district inspector from among the serving men immediately, whether Government is prepared to recruit suitable men from outside ;
- (c) whether it is a fact that there are precedents for the selection of men from outside for posts in the inspecting men ?

The Honourable Malik Sir Firoz Khan Noon : (a) No approximate date can be specified. Appointments of agriculturists will depend on vacancies and availability of suitable agriculturist officers of the requisite seniority and experience. Claims of deserving agriculturists will not be overlooked by the Department.

- (b) Such an eventuality is not likely to arise ;
- (c) No, not for the post of district inspector of schools.

CANAL PATWARIS AND MUNSHIS IN DELHI CIRCLE.

***2470. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly lay on the table of the House a list showing—

- (a) the total number of canal patwaris in the Delhi circle ;
- (b) the number of Hindus, Muslims and Sikhs among these patwaris and the number of agriculturists under each of the three groups ;
- (c) the proportion of Hindus, Muslims and Sikhs in the population of the Delhi circle ;
- (d) the number of Hindus, Muslims, and Sikhs among these patwaris whose original homes are outside the circle ;
- (e) the particulars contained in (a) to (d) about munshis ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a)
264.

				Total.	Agriculturists.
(b)	Hindus	..	..	180	124
	Muslims	..	..	76	65
	Sikhs	..	..	8	8

(c) The proportions of Hindus, Muslims and Sikhs in the population of the Western Jumna Canal Circle are :—

					<i>Per cent.</i>
Hindus	..	..	..	..	65
Muslims	..	..	..	..	28
Sikhs	..	..	..	..	6
Others	..	..	..	..	1
(d) Hindus	..	..	..	..	37
Muslims	..	..	..	..	33
Sikhs	..	..	..	..	5

(e) Total number of Munshis—

(i) 64.

				<i>Total.</i>	<i>Agriculturists.</i>
(ii) Hindus	..	..	..	41	22
Muslims	..	..	..	20	17
Sikhs	..	..	..	3	3
(iii) Those whose original homes are outside the circle—					
Hindus	..	..	..	..	16
Muslims	..	..	..	..	10
Sikhs	..	..	..	..	3

CLERKS IN THE IRRIGATION DEPARTMENT, DELHI CIRCLE.

***2471. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly lay on the table of the House a list showing—

- the number of clerks in the office of the Superintending Engineer, Delhi, and in the offices of all the executive engineers serving under him ;
- the number of Hindus, Muslims and Sikhs among the clerks referred to in (a) and the number of agriculturists under each head ;
- the number of clerks among Hindus, Muslims and Sikhs who belong to areas outside the Delhi Circle ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) 59.

(b) Hindus 38, Muslims 19, Sikhs 2 of whom 11, 14 and 1 respectively are agriculturists.

(c) Hindus	..	..	..	..	10
Muslims	..	..	..	..	4
Sikhs	..	..	..	..	2

RECRUITMENT TO THE POLICE DEPARTMENT.

***2472. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- the number of candidates selected in 1933 for the post of inspector, sub-inspector and assistant sub-inspector by direct recruitment ;
- the number of Hindus, Muslims and Sikhs among the candidates referred to in (a) and the number of statutory agriculturists under each head ;
- the tribes and districts of the candidates referred to in (a) ?

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

STATEMENT.

(a) Inspectors	..	..	..	..	2
Sub-Inspectors	..	..	..	..	4
Assistant Sub-Inspectors	..	..	..	..	20

(b)		<i>Hindus.</i>	<i>Muslims.</i>	<i>Sikhs.</i>
Inspectors	..	..	1	1
Sub-Inspectors	..	1	2	1
Assistant Sub-Inspectors	..	3	12	5

Statutory Agriculturists.

		<i>Hindus.</i>	<i>Muslims.</i>	<i>Sikhs.</i>
Inspectors	..	..	1	1
Sub-Inspectors	..	..	2	1
Assistant Sub-Inspectors	..	1	10	4

(c)

	TRIBE.				DISTRICT.
	Hindus.	Muslims.	Sikhs.		
Inspectors ..	..	Pathan 1	Jat .. 1	Peshawar	1
Sub-Inspectors	Kaisth 1	Pathan 1	Bedi 1	Lahore	1
		Mughal 1	..	Peshawar	1
				Gujrat	1
				Sheikhupura	1
Assistant Sub-Inspectors.	Jat 1	Jat 2	Jat 4	Amritsar	1
	Brahman 1	Rajput 2	Johr 1	Karnal	1
	Arora 1	Afghan 1	..	Ludhiana	1
		Pathan 2	..	Ferozepore	1
		Syed 2	..	Jullundur	1
		Sial 1	..	Simla	1
		Mughal 1	..	Amritsar	2
		Qureshi 1	..	Lahore	2
		Sheikh.	..	Sialkot	2
			..	Gurdaspur	1
			..	Lyallpur	1
			..	Sheikhupura	1
			..	Jhang	1
			..	Jhelum	2
			..	Gujrat	1
			..	Mianwali	2

DISCHARGED PRISONERS' AID SOCIETY, HISSAR.

***2473. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that over six months ago a branch of Discharged Prisoners' Aid Society was formed at Hissar, with Civil Surgeon, Hissar, as its chairman ;
- (b) whether it is a fact that some donations were collected and a charity box was also placed at the gate of the Hissar jail ;
- (c) how many meetings of this society have been held since then ;
- (d) the help, if any, rendered to the released prisoners since its organisation ;
- (e) if the answer to (d) be in the negative, the reasons for not fulfilling the object with which this society was established ?

The Honourable Sir Henry Craik : The Prisoners' Aid Society is not a department of Government but an unofficial agency formed by gentlemen interested in the objects of the Society. The honourable member's question should be addressed to the Secretary of the Hissar branch.

ACCOMMODATION IN HISSAR JAIL.

***2474. Lala Jyoti Prasad :** Will the Honourable Finance Member be pleased to state—

- (a) the number of convicts, under-trial prisoners and civil prisoners in the Hissar jail in each month of the year 1932-33 ;
- (b) the total number which it should accommodate ;
- (c) whether it is a fact that having regard to its limited accommodation there was a proposal under the consideration of the Government to construct a new jail somewhere far from the population ;
- (d) if the answer to (c) be in the affirmative, at what stage the above proposal is ;
- (e) if the answer to (c) be in the negative, whether in view of its limited accommodation and in view of the growing population of Hissar town, Government has any proposal to shift the jail from its present site ?

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

STATEMENT.

(a) On 1st January 1932	..	..	..	393
On 1st February 1932	..	..	..	391
On 1st March 1932	..	..	..	314
On 1st April 1932	..	..	..	329
On 1st May 1932	..	..	..	377
On 1st June 1932	..	..	..	414
On 1st July 1932	..	..	..	486
On 1st August 1932	..	..	..	509

[Hon. Sir Henry Craik.]

Statement—concluded.

On 1st September 1932	..	..	..	470
On 1st October 1932	..	..	..	428
On 1st November 1932	..	..	..	427
On 1st December 1932	..	..	..	402
On 1st January 1933	..	..	..	518
On 1st February 1933	..	..	..	437
On 1st March 1933	..	..	..	487
On 1st April 1933	..	..	..	453
On 1st May 1933 ..	..	..	..	479
On 1st June 1933 ..	..	..	..	487
On 1st July 1933 ..	..	..	..	526

(h) 278 prisoners.

(c) No.

(d) Does not arise.

(c) No. A new jail is however, desirable but owing to financial stringency it is not possible to embark on any extensive building operations. For the present the overcrowding is being met by pitching tents within the jail and by frequent transfers of prisoners to other jails.

SMALL-POX IN HISSAR AND BHIWANI.

***2475. Lala Jyoti Prasad :** Will the Honourable Minister for Education please state—

(a) the number of deaths each month on account of small-pox in the towns of Hissar and Bhiwani during the last three months ;

(b) steps in detail taken by the local medical officers by way of vaccination, etc., to check the progress of this epidemic ?

The Honourable Malik Sir Firoz Khan Noon : (a) The number of deaths from small-pox in Hissar and Bhiwani towns during the last three months was as noted below :—

			Hissar.	Bhiwani.
April 1933	..	..	52	40
May 1933	..	..	101	42
June 1933	..	..	44	19

(b) In Hissar town a total number of 462 primary and 1,267 re-vaccinations were performed during the 3 months—April to May 1933. In spite of repeated reminders, the Municipal Committee has not yet framed bye-laws under the Vaccination Act. House to house vaccination was, therefore, carried out in the town and the ward members were requested to give every help to the vaccinator and immediately notify the occurrences to the Civil Surgeon. A gang consisting of one mate and 3 coolies was employed which disinfected 1,060 houses during the three months. Printed posters were distributed freely in the town. In Bhiwani town 1,443 primary and 526 re-vaccinations were performed during the season (November 1932 to June 1933). The District Medical Officer of Health visited the town and impressed on the authorities the necessity of wholesale re-vaccination and requested them to give every help to the sanitary inspector and the vaccinator in the protective work. Progress, however, was slow, because of the prejudice of the people.

BUILDING FOR GOVERNMENT GIRLS HIGH SCHOOL, HISSAR.

***2476. Lala Jyoti Prasad :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that at present there is no proper building for the Government Girls' High School, Hissar ;
- (b) whether it is a fact that all the classes are at present located in the building which previously was used by primary classes only ;
- (c) if the answers to (a) and (b) are in the affirmative, what steps, if any, Government is taking to locate the school in a proper building ;
- (d) the number of students on roll in all the classes of the Government Girls' High School, Hissar ?

The Honourable Malik Sir Firoz Khan Noon : (a) The building is unsuitable.

(b) Yes.

(c) Action is being taken to obtain a more suitable building.

(d) Statement giving the required information is laid on the table.

Statement showing the number on rolls of the Government Girls' High School, Hissar.

Name of class.				Number on roll.
V High	..	..	..	1
IV High A	..	..	..	3
IV High B	..	..	..	3
III Middle	..	..	..	8
II Middle	..	..	..	10
I Middle	..	..	..	15
V Primary	..	..	..	12
IV Primary	..	..	..	20
III Primary	..	..	..	69
II Primary	..	..	..	39
I Primary A	..	..	..	43
I Primary B	..	..	..	82
Total				305

***2477. Cancelled.**

HISSAR CATTLE FARM.

***2478. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that last year in March a committee was appointed by the Punjab Government to inquire into the expenditure and income of the Hissar Government Cattle Farm and to report as to how savings could be effected in its huge expenditure in these days of financial stringency ;

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- (b) whether it is a fact that the committee submitted its report over six months ago ;
- (c) whether it is a fact that the report has not been placed in the hands of the members of the Council up till now ; if so, the reasons for the same ;
- (d) the recommendations in detail of that committee for effecting savings and those approved by the Government ;
- (e) whether any action has been taken by the Government on these recommendations ;
- (f) if so, whether detailed statement will be laid on the table ;
- (g) if not, the reasons of this long delay in giving effect at least to the recommendations approved by Government ;
- (h) whether any reduction has been made in the number of gazetted officers ?

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

(b) Yes.

(c) Yes. The report has only recently reached Government.

(d) }

(e) }

(f) }

(g) }

(h) }

The report is now under consideration and Government have not reached a final decision.

ROADS UNDER MUNICIPAL COMMITTEE, HISSAR.

***2479. Lala Jyoti Prasad :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that the Hissar Municipal Committee is paving the roads under its control with stone metal ;
- (b) whether it is a fact that last year the committee once or twice got the road roller from the Public Works Department (Buildings and Roads) on hire for constructing the roads ;
- (c) whether it is a fact that in November last the President, Municipal Committee and the Deputy Commissioner, Hissar, approached the Public Works Department officers for lending them the use of their road roller on hire as before ;
- (d) whether it is a fact that this time the permission was refused ; and if so, the reasons for the same ;
- (e) whether it is a fact that stone ballast is lying on two or three roads of the Municipal Committee for the last several months to the great inconvenience of the public ;
- (f) whether it is not practicable for the Public Works Department officers to spare the road roller for the use of the committee when not in use by them ?

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

(b) Yes.

(c) Yes.

(d) Yes, as the road roller could not be spared on account of the work which was being done by the Public Works Department on the Delhi-Montgomery Road.

(e) Yes.

(f) Yes, it is practicable.

REWARI-SOHNA ROAD.

***2480. Lala Jyoti Prasad :** Will the Honourable Minister for Agriculture please state—

(a) whether it is a fact that a major portion of the Rewari-Sohna road is a kucha one ;

(b) whether it is a fact that in the rainy season owing to flood in the Sahbi river the road becomes impassable and traffic is totally closed to the great inconvenience of the public ;

(c) what action Government contemplates to take in the matter ?

The Honourable Sardar Sir Jogendra Singh : (a) The distance between Sohna and Rewari is 29 miles. Out of this total mileage, 8 miles at the Sohna end and 2.23 miles at the Rewari end are metalled ; the remaining portion, which is the major portion, is still unmetalled.

(b) It is a fact that traffic is totally closed when the Sahbi river is in spate. Being a sub-montane torrent the water rises very quickly, but subsides just as quickly. Its behaviour is very similar to Ghaggar River, which is on the Ambala-Tibet Road between Ambala and Kalka ; while the inconvenience experienced is considerably less, as there is very little traffic between Sohna and Rewari.

(c) I inspected this road accompanied by the Deputy Commissioner last month and have asked for proposals, which will receive my best attention in relation to available funds and other demands.

SUPPLY OF FOODSTUFF TO DISTRICT BOARD REST HOUSE, REWARI.

***2481. Lala Jyoti Prasad :** Will the Honourable Revenue Member be pleased to state—

(a) whether it is a fact that there is a District Board Rest House at Rewari in the Gurgaon district for the convenience of officers ;

(b) whether it is a fact that there used to be a supplier (*thekedar*) employed by the District Board at Rs. 60 a month who used to supply and manage for foodstuff and other things to the officers staying in the Rest House ;

(c) whether it is a fact that about a year ago this supplier died ;

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- (d) whether anybody in his place has been appointed by the District Board ;
- (e) if not, why not ;
- (f) the arrangements at present for the supply of things and food-stuff, etc., to the officers halting there ;
- (g) whether it is a fact that zaildars and lambardars of Rewari are ordered now to supply and arrange for the things and foodstuff required for the officers halting in the Rest House mentioned above and they are not paid for them ;
- (h) what steps, if any, Government proposes to take to abolish this *begar* in vogue at present at Rewari ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a)

Yes.

(b) A supply contractor was appointed by Government for the rest-houses at Rewari and Jatusana at a remuneration of Rs. 500 per annum.

(c) Yes.

(d) and (e) Another supply contractor was appointed for the period 21st October 1932 to 30th November 1932, but since 1st December 1932, the appointment of supply contractors has been discontinued in several places, including Rewari, in the interest of economy.

(f) At present officers make their own arrangements for the supply of commodities, or procure them through tahsil peons by payment in advance.

(g) It is a fact that instructions were issued to the zaildar who is also the only lambardar of Rewari to afford necessary aid in supplying provisions on payment, but actually he has never arranged to afford assistance in the supply of provisions to any officer. The question of non-payment, therefore, does not arise.

(h) Does not arise.

AUCTION OF *RAKHS*.

***2482. Chaudhri Allah Dad Khan :** Will the Honourable Revenue Member please state—

- (a) whether an article entitled " Let the high officials pay attention, " published in the *Daur-i-Jadid* newspaper of Lahore of 8th June 1933, on page 8, has come under the notice of Government ;
- (b) how much Government land known as *rakhs* has already been auctioned out of the areas of Kalorkot, Peelanwali, Nasirwala and other villages of Mianwali district recently ;
- (c) whether he is aware that the areas mentioned in (b) were transferred to Government by zamindars who owned them, free of charge, only for being preserved as grazing lands, during the settlement of 1872—1878 ;
- (d) how much land out of that mentioned in (b) has been purchased by non-agriculturists ;

- (e) the average price per acre paid for the land mentioned in (d) ;
- (f) if the answer to (c) is in the affirmative, why Government has auctioned the areas in (b) ;
- (g) if the answer to (d) shows most or much of the land auctioned, what action the Government intends to take in the matter ?

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

- (b) None.
- (c) No.
- (d) None.
- (e), (f) and (g) do not arise.

THEFTS REPORTED AT THE POLICE STATION, LADWA.

***2483. Chaudhri Allah Dad Khan :** Will the Honourable Finance Member please state—

- (a) whether he is aware that four buffaloes of Rahmatullah, Girdawar Kanungo of Ladwa in the Karnal district, were stolen successively by thieves ;
- (b) whether the thefts in (a) were reported to the police station Ladwa in (a) or not ;
- (c) how many reports of theft were registered at the police station mentioned in (b) during the last six months, beginning from November 1st, 1982 ;
- (d) if answer to (a) is in the affirmative, what action Government intends to take in the matter ?

The Honourable Sir Henry Craik : (a) No.

(b) A report concerning the misappropriation of two buffaloes was made under section 408, Indian Penal Code, which is non-cognizable.

- (c) Twenty-nine.
- (d) Does not arise.

WATER SUPPLY TO LAL DIGGI TANK AT HISSAR.

***2484. Lala Jyoti Prasad :** Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that in the town of Hissar over some two years ago there was a communal tension between Hindus and Muslims of the place over a tank called the Devi Bhawan tank where *dhobis* had recently started washing clothes ;
- (b) whether it is a fact that to solve the above problem the Municipal Committee, Hissar, constructed a separate tank called Lal Diggi for the exclusive use of *dhobis* ;

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- (c) whether it is a fact that in spite of the Committee's readiness to pay water-rates the Irrigation Department has not taken steps to fill the tank with water and to attach this tank with some outlet ;
- (d) whether it is a fact that with the present size of the outlet on which this tank could be attached the tank can never be filled without depriving the gardens on this outlet of their due share of water ;
- (e) whether it is a fact that the outlet above mentioned was reconstructed only a few months back by which the supply of water to the gardens on it had greatly diminished and there have been several complaints to that effect from the owners of various gardens ;
- (f) what steps, if any, Government propose to take to get the water supplied to the Lal Diggi at an early date and have the size of the outlet increased with the increased supply of water ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a)

Yes.

(b) Yes.

(c) No.

(d) No.

(e) The outlet was repaired to its correct size as it was found to have been damaged. No complaints have been received from the owners of the gardens irrigated by the outlet.

(f) None, as arrangements already exist for supplying water to the diggi.

OFFICIAL RECEIVERS.

***2485. Chaudhri Riasat Ali :** Will the Honourable Finance Member please state—

- (a) when the first Official Receiver was appointed in the Gujranwala district ;
- (b) the names of the persons appointed so far ;
- (c) if ever a Muslim has been appointed ;
- (d) if not, why not ;
- (e) whether the Government is prepared to consider the claims of a Muslim in case of any vacancy now ;
- (f) whether there is any Government circular to the effect that no appointments be made from the other communities unless the Muslims get proper representation in the services ;
- (g) whether it will be laid on the table ?

The Honourable Sir Henry Craik : (a) to (d) The appointment of Official Receiver, Gujranwala, was created in 1916. Since then B. Sarmukh Singh has been holding it.

(e) Their claims along with those of others will be borne in mind when an appointment is made.

(f) and (g) No. There is no 'Service' of Official Receivers.

***2486.** *Cancelled.*

ELECTRIFICATION OF HISSAR TOWN.

***2487. Lala Jyoti Prasad :** Will the Honourable Revenue Member please state—

- (a) whether it is a fact that the Lahore Electric Supply Company has got a licence to electrify the Hissar town ;
- (b) if so, the date of granting the licence by the Government ;
- (c) what steps, if any, the above company has so far taken in the way of producing current for the purpose ;
- (d) if nothing material has been done, whether Government in public interest propose to take some action to get the matter expedited ?

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

(b) 9th of April 1932.

(c) The company has applied for the acquisition of land under the Land Acquisition Act, 1894, for the construction of a power house and has deposited the security of Rs. 5,000 under clause 3 (2) of the licence.

(d) Does not arise.

WATER SUPPLY TO PUBLIC TANKS IN HISSAR.

***2488. Lala Jyoti Prasad :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that tanks of public utility within the Municipal limits of Hissar town get their water supply from the canal and the annual dues of water rates for these tanks are paid by the committee ;
- (b) whether it is a fact that previously there was no charge made for the water supplied for these tanks ;
- (c) if the answer to (b) be in the affirmative, the reasons for the Irrigation Department for the levy of this new tax ;

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- (d) whether this system of levying the tax on tanks of public utility is in force on all the canals of the province or on the Western Jumna Canal only ;
- (e) whether it is a fact that water supply to these tanks in Hissar has been stopped by the Irrigation Department ;
- (f) if so, the reasons for the same ;
- (g) whether it is a fact that owing to stoppage of water supply to these tanks there is no fresh water available for drinking for the cattle of the town in this hot season to the great inconvenience of their owners ;
- (h) whether Government is aware that water in these tanks without fresh supply is stagnating and may cause the spread of some disease amongst the cattle ;
- (i) what steps, if any, Government proposes to take for an early supply of water to these tanks ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The information required by the honourable member has been called for from the local canal officers and will be supplied to him when received.

RECRUITMENT OF CONSTABLES.

***2489. Lala Jyoti Prasad :** Will the Honourable Member for Finance kindly state—

- (a) the procedure adopted by the Superintendents of Police in Hissar, Rohtak, Karnal and Gurgaon districts for recruiting foot constables in 1931, 1932 and in the current year ;
- (b) the number of constables recruited communitywise during the years mentioned above and in the above named various districts ;
- (c) the population of each district communitywise ?

The Honourable Sir Henry Craik : The required information is being collected and will be supplied to the honourable member when ready.

READERS IN COURTS.

***2490. Lala Jyoti Prasad :** Will the Honourable Member for Finance kindly state—

- (a) the number of readers communitywise in all courts (civil and criminal) in the four districts of Gurgaon, Karnal, Rohtak and Hissar ;
- (b) what it was in 1931 and 1932 ?

The Honourable Sir Henry Craik : (a) and (b) A statement for the districts of Gurgaon, Karnal and Hissar is laid upon the table.

The figures supplied for Rohtak appear to be incorrect. Further enquiries are being made, and the result will be communicated to the honourable member in due course.

STATEMENT.

Districts.	CRIMINAL COURTS.			CIVIL COURTS.		
	Hindus.	Muslims.	Sikhs.	Hindus.	Muslims.	Sikhs.
(a).						
Gurgaon	2 (non-Muslims).	3	..	2	1	..
Karnal	13	8	..	3	2	..
Rohtak	6	1	..	3	2	..
Hissar	2	7	..	2 (including one Jain).	3	..
(b).						
Gurgaon { 1931 ..	3 (non-Muslims).	2	..	2	1	..
{ 1932 ..	2 (non-Muslims).	3	..	2	1	..
Karnal { 1931 ..	12	12	..	3	3	..
{ 1932 ..	12	12	..	3	2	..
Rohtak { 1931 ..	6	1	..	3	2	..
{ 1932 ..	6	1	..	3	2	..
Hissar { 1931 ..	2	8	..	2	3	..
{ 1932 ..	3	5	..	2	3	..

REMISSION OF LAND REVENUE AND WATER RATES.

*2491. Lala Jyoti Prasad: Will the Honourable Member for Revenue be pleased to state by districts the amount of remission in (a) land revenue, and (b) water rates, in respect of *kharif* 1932 and *rabi* 1932-33?

The Honourable Captain Sardar Sir Sikander Hyat Khan: The necessary information is being collected and will be supplied to the honourable member when ready.

REMISSION OF LAND REVENUE AND *ABIANA* IN HISSAR.

*2492. Lala Jyoti Prasad: Will the Honourable Member for Revenue kindly state by tahsils the amount of land revenue and *abiana* respectively remitted in the Hissar district in *kharif* 1932 and *rabi* 1932-33?

The Honourable Captain Sardar Sir Sikander Hyat Khan: A statement giving the necessary information is laid on the table.

Remission of land revenue and abiana in the Hissar district.

Tahsil.	LAND REVENUE REMITTED.		ABIANA REMITTED.	
	In Kharif 1932	In Rabi 1933 out of suspended revenue.	In Rabi 1933	In Kharif 1932
		Rs.	Rs.	Rs.
Bhiwani	23,061	351	271
Hansi	31,691	5,402	5,990
Hissar	50,622	4,641	2,856
Fatehabad	28,417	4,112	1,346
Sirsa	66,869	4,065	2,408
Total	2,00,660	18,571	12,871

INTERMEDIATE COLLEGE AT HISSAR.

***2493. Lala Jyoti Prasad:** Will the Honourable Minister for Education please state—

- the names of places where intermediate colleges have been opened in the province since the time of his assuming the reins of office of the Ministry of Education;
- whether it is a fact that in the list of places proposed for opening intermediate colleges, Hissar used to be first or second on the list in the time of his predecessor in office;
- whether it is not a fact that Hissar has not been given an intermediate college so far;
- whether he intends to open a college there; if so, when?

The Honourable Malik Sir Firoz Khan Noon: (a) None for boys—one for girls at Amritsar.

(b) The opening of an intermediate college at Hissar was considered in 1929-30.

(c) Yes.

(d) Hissar along with other deserving places can only be considered when the financial position improves. It is impossible to give a precise date.

I.C.S. OFFICERS IN CHARGE OF DISTRICTS.

***2494. Lala Jyoti Prasad:** Will the Honourable Member for Finance be pleased to state—

- whether it is a fact that before the Reforms an Indian Civil Service officer used to be put in charge of a district after some ten years of his joining the service;

- (b) whether it is a fact that during this period of ten years he used to gain experience of the work all round in order to enable him to manage a district properly ;
- (c) whether it is a fact that since the inauguration of the Reforms, Indian Civil Service officers of three or four years' standing are placed in charge of districts ;
- (d) the number of such officers at present in charge of districts of the province who have not yet completed their ten years' service and also the total number of Indian Civil Service officers in charge of the districts in the province ;
- (e) whether it is a fact that during the regime of such officers who have not had at least ten years' experience in service, something untowards such as communal riots, etc., have happened in the districts in their charge ;
- (f) if the answer from (a) to (e) be in the affirmative, what steps, if any, Government proposes to take in order that Indian Civil Service officers be placed in charge of districts only when they have had at least ten years' administrative experience ?

Mr. C. C. Garbett (Chief Secretary) : (a), (b) and (c) Yes, except that the normal period of training is in theory 8 years, not 10 years as suggested.

(d) 21 I.C.S. officers are in charge of districts. Of these 15 have less than 10 years' service.

(e) The suggestion that in recent years communal riots have been more frequent in districts held by junior officers than in those held by senior officers is not supported by the facts.

(f) The existing state of rapid promotion is due to the cessation of recruitment during the war and to some extent to the premature retirement of comparatively senior officers. It can only be remedied gradually by additional recruitment.

GRIEVANCES OF HINDUS OF MANGALI IN HISSAR TAHSIL.

***2495. Lala Jyoti Prasad :** Will the Honourable Member for Finance kindly state—

- (a) whether it is a fact that a representation, dated the 24th February 1933, by the entire Hindu community of village Mangali in the Hissar tahsil, was submitted to the Deputy Inspector-General of Police, Eastern Range, Ambala, and the Inspector-General of Police, Punjab, Lahore, narrating their grievances and praying for their redress at an early date ;
- (b) if so, whether a copy of that representation will be laid on the table ;
- (c) what action was taken by the officers on the aforesaid representation ;
- (d) whether any attempt was made by the officers to redress the grievances mentioned in that representation ;
- (e) whether it is a fact that the condition of the village is as bad as ever ;
- (f) if nothing has been done so far, what steps, if any, Government proposes to take to redress the grievances of the Hindus of the place ?

The Honourable Sir Henry Craik : (a) Yes.

(b) A copy is laid on the table.

(c) It was forwarded to the Superintendent of Police for enquiry.

(d), (e) and (f) As the honourable member is doubtless aware the situation in the village has been further complicated since the submission of the representation by the murder of three Muhammadans. The question of what action is now necessary is under consideration.

Copy of a representation, dated the 24th February 1933 from the Lambardars of Mangali, to The Inspector-General of Police, Lahore.

We, the representatives of entire Hindu community of village Mangali, Sadar Police Station Hissar, most humbly and respectfully beg to lay our humble grievances before you in the hope that you will be pleased to redress them at an early date.

During the last few months a number of thefts have taken place in our village and the adjoining villages. The Rangars of Mangali under the influence of Ibrahim, Zaildar, are mainly responsible for these thefts. Unfortunately, some subordinate police officials are in league with these people and, therefore, the cases are left untraced. A large number of cases are not even registered.

Raja Hussain Akhtar, Magistrate, Ilaga, was pleased to visit Mangali on 10th January 1933, and he made inquiries on the spot and strongly reprimanded the Rangars and told them that they alone were to blame as they had been committing a number of burglaries and cattle thefts in Mangali and the adjoining villages. He submitted a detailed report to the officers holding the Muhammadans to blame. Before this the Deputy Commissioner, Hissar, and the present Superintendent of Police, Hissar, had also gone to the village and asked the Rangars to desist from committing thefts, failing which they will be declared members of criminal tribes and punitive police would also be posted of which the expenses will have to be borne by them. The Deputy Commissioner suspended Ibrahim Khan, Zaildar, on 10th March 1932. The Zaildar and his party finding that their main source of livelihood was threatened to be stopped, tried to give it a communal colour and represented that a Hindu-Muslim dispute existed over cow slaughter which is absolutely unfounded and false as would be apparent from the report of Magistrate, Ilaga, and other officers who have been visiting the village from time to time. Cow slaughter has never taken place in Mangali. The Government has by order even stopped the shooting of bucks in Mangali to respect the religious views of the Bishnois who are a predominant community and in view of this the allegation of the Muhammadans, which has been made for the first time only recently, is absolutely baseless. In fact, the real object of Ibrahim Khan, Zaildar, in getting even the Hindus who are the poor victims of thefts bound down under section 107, is that he and his party should continue to enjoy immunity for committing thefts without let or hindrance on the part of the Hindu residents of Mangali who should continue to be the mere spectators of their cherished cattle being stolen and done away with. Great injustice will be done to us if we have been helping the administration in stopping thefts are bound down.

In this connection we also beg leave to submit that we have heard a rumour that it is proposed to post punitive police to Mangali, and the Rangars are openly saying that the Hindus will also have to bear the expenses. We do not know how far this is correct. We respectfully submit that we have never committed any breach of law nor have we been guilty of any violence. No riot or murder or any other kind of breach of peace is apprehended from us. If the sole object of Government in having a police post at Mangali is to stop thefts and other offences, it is but fair and just that the entire costs would be borne by the Rangars who are solely responsible for this.

We are afraid lest some harm may be done to us by implicating us falsely at the instance of the Rangars sooner or later and so we request that your honour may be pleased to visit the spot and satisfy yourself as to the true genesis of dispute and the real persons who are responsible for it.

We regret to bring to your kind notice that the Police did not register or properly investigate the following cases :—

- (1) On 7th January 1933 Rangars of Mangali stole three buffaloes of Ram Sukh, son of Lachman, Bishnoi, Khatri, which were recovered from the house of Mukad, Rangar, Lambardar. The Sub-Inspector happened to come to Mangali in company of the Magistrate, Ilaga, soon after and a report was recorded by him on the spot in a *raga* but after that he did nothing. The Magistrate, Ilaga, also knew about it as he was also present. This attitude of S. Ganja Bakhsa, Sub-Inspector, further emboldened the Rangars.
- (2) On 10th January at about evening Mst. Dhapan's (widow of Hira, Bishnoi-cow was stolen by Rangars, the police guard at Mangali was informed immedi-

ately but nothing was done. The Rangars openly stated that hereafter the animals would be slaughtered and they challenged us to do our worst. On 17th January 1933 the Magistrate and the same Sub-Inspector came to Mangali and the matter was reported to them. The Sub-Inspector also prepared a *ruga* but never registered or investigated the case. The Magistrate was pleased to order Ibrahim Khan, Zaildar, and Taj Muhammad to give oath (*Nem*) but up to this date neither cow has been returned nor *Nem* given nor the case investigated.

- (3) On 31st January 1933 one bullock belonging to Devit Ram, Mahajan, was taken out for watering at about sunset to the village tank. It got shy and ran into Mohalla Rangaran as it had been purchased a few days earlier from Sher Muhammad who was living in that lane. The Rangars got hold of it and replied that we could go to the police station. The officer in charge of the police guard at Mangali was informed but he took no action on it.
- (4) On about 2nd February 1933, when the herd was returning from the jungle after grazing, two heifers one belonging to Mangla, Khatri, and the other to Hansa, Mahajan, were seized and never returned.
- (5) On 9th February 1933 at about sunset one bullock and one cow which was tied to a bullock by means of a rope and one mare without any saddle were got hold of by Bhajna, son of Mangta, Bishnoi, just then to a Rangar of Jamalpur who was taking out from Mangali. He was challenged but failed to give any satisfactory explanation. Bhajna made it over to Bagavat, Lumbardar, who took them all to Chaudhri Villayat Ali, Sub-Inspector, who ordered that the animals be taken to Sadar Police Station. The Thana Moharrir entered some report in the Roznamcha and what is still more strange gave the animals to that very man without making any inquiries or taking any security from him. This still more encouraged the Rangars of Mangali and they began to commit thefts almost every day.
- (6) On 9th February 1933, that is, the same evening three heifers and one bullock belonging to Hira, Brahmin, were being brought to the village by the grazier when Razada, Dhola, Jamal-ud-Din and Banda, Rangar, forcibly snatched them. The grazier came weeping and reported the matter to the owner who immediately informed the police guard but no notice was taken of it. On this the Brahmins put their own men at the various village entrances so that they might seize their animals. At about 12 O'clock in the night several Rangars were observed by them who were coming to the village with 10 or 11 buffaloes and one bullock. The persons who were on guard duty at once challenged them as to who they were and from where they were bringing the animals. The Rangars asked them to get away or they would be killed. The persons on guard then raised an alarm of "thief, thief," on which other persons who were guarding the other entrances came up. There was a struggle between the parties, after it 8 buffaloes were got hold of and 2 buffaloes and one bullock was taken away by force by some of the Rangars. These buffaloes were immediately taken to Sub-Inspector, Mangali, and the Sub-Inspector was informed the names of the Rangars who had taken away the 2 buffaloes and the bullock to the village. The Sub-Inspector was requested to accompany them so that they may get them arrested and recovered but he refused to move at night. The names of the culprits are Ghulam Rasul, Mubarak Ali, Raja, Amda, Mali and Kutha. On 10th February 1933, Mangali Police sent the animals to Hissar Police Station where the Police recorded an utterly false report and put the animals in the pound. This matter, serious as it is, calls for an immediate inquiry.

We earnestly hope that your honour, whose interest in the welfare of Zamindars is well known will be kind enough to inquire into the above allegations and see that strong steps for suppression of crime are taken and poor law-abiding subjects are not harassed in any way.

In this connection we beg to remind you that at one time Mr. Kilburn, Superintendent of Police, or his successor had proposed that in order to stop thefts of cattle it was necessary to have Rangars of Mangali, Diamah and Jamalpur, &c., declared as member of criminal tribe. In our humble opinion nothing short of that extreme steps would root out this evil as in Mangali alone at least 60 to 70 persons are either previous convicts or bad characters.

Hoping to receive a favourable consideration.

ENLISTMENT OF DOGRAS OF KANGRA IN THE POLICE.

***2496. Thakur Pancham Chand :** Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that the Dogras of Kangra district were exempt from the usual standard of height for enlistment in

[T. Pancham Chand.]

the Punjab Police force according to the late Inspector-General of Police, Sir Edward French's Police rules ;

- (b) if so, why this exemption has not been maintained in the present police rules ;
- (c) whether it is a fact that the standard of height fixed for the Dogras of Kangra district is 5 feet 4 inches in the Army ;
- (d) if so, whether Government will kindly consider the desirability of fixing the same standard for the Dogras of Kangra district for enlistment in the Punjab police force ;
- (e) whether it is a fact that the number of Dogras of Kangra district in the Police department has considerably decreased on account of the rule enforcing the present standard of height ;
- (f) the number of Dogras of Kangra district in the Punjab Police department in 1910 and 1932, respectively ?

The Honourable Sir Henry Craik : (a) No.

(b) Does not arise.

(c) and (d) Whatever the army regulations may be, Government has no intention of altering the standard prescribed for the Police, as Dogras of the required height are forthcoming.

(e) No.

(f) The information is not available and it would be difficult and expensive to collect figures for 1910.

ENLISTMENT OF DOGRAS OF KANGRA IN THE POLICE.

***2497. Thakur Pancham Chand :** Will the Honourable Member for Finance be pleased to state—

- (a) whether it is a fact that the Jats and Sikhs of the Punjab are to be enlisted for employment in the Kangra Police in preference to Dogras of Kangra in the Kangra district ;
- (b) if so, what steps Government intends to take in removing the grievances of Dogras of Kangra district in this respect ?

The Honourable Sir Henry Craik : (a) No.

(b) Does not arise.

PUNJAB UNIVERSITY RESULTS.

***2498. Khan Bahadur Mian Muhammad Hayat Qureshi :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that more than 60 per cent. fail to pass the F. Sc., B. Sc., F.A., B.A., or other Arts examinations of the Punjab University ;
- (b) the reasons therefor ;

- (c) how many students during the last examination failed ;
 - (i) because they missed the pass percentage by 1 to 3 marks and that too in one subject only ;
 - (ii) owing to a deficiency in the aggregate ;
- (d) how many such students were not placed in the compartment for the same reasons ;
- (e) what steps, if any, Government intend to take to remove these defects in the system of education ?

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

SIKHS IN THE PUNJAB IRRIGATION RESEARCH INSTITUTE.

***2499. Sardar Sahib Sardar Ujjal Singh :** Will the Honourable Member for Revenue kindly state—

- (a) how many grades of pay there are in the Punjab Irrigation Research Institute ;
- (b) the percentage of Sikhs in each grade ;
- (c) how many posts of Research Assistants have been sanctioned ;
- (d) how many of these have been set aside for Sikhs ;
- (e) if none has been so ear-marked the reasons for the same ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) No standard grade of pay has been fixed. The majority of the officers are appointed on contract terms and their salaries and rates of increment—which vary—are fixed according to the qualifications required for the particular post and possessed by the incumbent.

(b) No Sikh officers are yet employed in the Research Institute.

(c) Six new posts of Research Assistants have just been sanctioned (these are not gazetted posts).

(d) and (e) In making appointments to these 6 posts, endeavour will be made to secure the communal proportion already laid down by Government subject to there being suitable and qualified candidates available from each community. But the honourable member will no doubt agree with me that the very best men available must be employed in the Research Institute in order to get the best results.

ALLEGATIONS AGAINST PROFESSOR S. SADHU SINGH, AND THE PRINCIPAL OF THE INTERMEDIATE COLLEGE, ROHTAK.

***2500. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Education please state—

- (a) whether a representation, dated 22nd April 1933, signed by a number of responsible Muslims of Rohtak, making certain allegations against Professor S. Sadhu Singh, and the Principal of the Intermediate College, Rohtak, was received by him ;

[Ch. Allah Dad Khan.]

- (b) what offensive words in the representation in (a) were ascribed to S. Sadhu Singh as having been used against Islam in his lecture room ;
- (c) on how many students of the College was S. Sadhu Singh alleged in the representation in (a) to have inflicted corporal punishment ;
- (d) what the other allegations are in addition to those in (a) and (b) made in the representation in (a) against Professor S. Sadhu Singh and the Principal ;
- (e) the reasons for expelling Nawab Ali, a student of the Intermediate College, Rohtak, from the College ;
- (f) whether any of the allegations in (a) were investigated and if so, by whom ?

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

(b), (c) and (d) It is not in the interest of public service to disclose the allegations made in this representation.

(e) He was taking part in meetings held against the Principal and other teachers. He was also responsible for sending petitions in his handwriting but purported to be from members of the public. It is impossible to keep discipline in an educational institution if a student behaves towards his teachers as Nawab Ali did. He was asked to take his discharge certificate and join some other college.

(f) Yes, by the Principal.

Chaudhri Allah Dad Khan : With reference to the answer to parts (b), (c) and (d), I may point out that these facts have already been published in many of the papers. I do not see now how it is not in the public interest to disclose them.

The Honourable Malik Sir Firoz Khan Noon : If the honourable member has already read them, there is no need to disclose them again.

Chaudhri Allah Dad Khan : I wanted to bring them to the notice of the Government.

Mr. President : What is the object of the honourable member in asking the question ?

Chaudhri Allah Dad Khan : My object was that due action should be taken against those who were responsible for this.

The Honourable Sir Henry Craik : Is it not the rule that questions are allowed only for the purpose of eliciting information ?

Mr. President : As a rule questions are asked to obtain information or press for action; but sometimes they are asked to draw public attention to a grievance; sometimes to embarrass the Government; sometimes to show to electors the zeal of their member, and at times a question is asked by a supporter of the Minister in order to give him an opportunity to state some important facts for public information.

CHAUDHRI AHMAD HASAN, DISTRICT INSPECTOR OF SCHOOLS,
MONTGOMERY.

***2501. Chaudhri Allah Dad Khan :** Will the Honourable Minister for Education please state—

- (a) for how many years Chaudhri Ahmad Hasan has been the District Inspector of Schools, Montgomery ;
- (b) how many teachers from outside the district were employed during the time the District Inspector referred to in (a) has been in the district ?

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

RETRENCHMENT IN THE IRRIGATION BRANCH.

***2502. Chaudhri Allah Dad Khan :** Will the Honourable Revenue Member please state—

- (a) how many Muslim and non-Muslim temporary subordinates there were in the Irrigation Branch in 1932 and 1933 and how many of them have been brought under reduction community-wise ;
- (b) how many Muslim and non-Muslim subordinates there were in the discharge division in 1932 and how many have been brought under reduction communitywise ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The answer to this question is rather lengthy and it would save the time of the Council if I simply lay it on the table.

Chaudhri Allah Dad Khan : The answer had better be read.

Mr. President : If answers are lengthy they may be placed on the table and circulated with the official reports instead of being given orally.

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

STATEMENT.

			Muslims.	Non-Muslims.	Total.
(a)					
On 1st January 1932	..	..	84	219	303
Discharges during 1932	..	..	35	72	..
On 1st January 1933	..	..	49	147	196
Discharges up to 1st April 1933	..	..	6	12	..
On 1st April 1933	..	..	43	135	178

[Hon. Cap. Sardar Sir Sikander Hyat Khan.]

The non-Muslim discharges indicated above communitywise are—

During 1932—					
Hindus	..	..	..	..	56
Sikhs	..	..	..	..	16
				Total	72
During 1933 up to 1st April 1933—					
Hindus	..	..	..	..	7
Sikhs	..	..	..	..	5
				Total	12

			Muslims.	Non-Muslims.	Total.
(b)					
On 1st January 1932	..	..	5	12	17
Discharges during 1932	..	..	1	1 Sikh	2
On 1st January 1933	..	..	4	11	15

CONFISCATION OF THE GUN OF SHARF-UD-DIN.

***2503. Chaudhri Allah Dad Khan :** Will the Honourable Member for Finance please state—

- whether an article entitled 'a grand meeting of the Muslims of Rohtak,' published in the *Siasat* newspaper of 5th May 1933, has come under the notice of Government ;
- whether it is a fact that the Deputy Superintendent of Police, Rohtak, forcibly took a gun from one Sharf-ud-din, a loyal Rajput of the Rohtak district who held it under a licence ;
- what rule the Deputy Superintendent of Police acted under in taking the action in (b) ;
- whether he is aware that the action of the Deputy Superintendent of Police in (b) has produced intense dissatisfaction among the Muslims of Rohtak district ;
- whether a copy of the proceedings of the meeting referred to in (a) and the resolutions passed at it, have been sent up to the Government ;
- if the answer to (e) is in the affirmative, what action Government has taken on it ; if not, why not ?

The Honourable Sir Henry Craik : (a) No.

(b) The police took possession of the gun in the course of proceedings under section 107, Criminal Procedure Code, in which Sharf-ud-din was involved. Their action had the concurrence of the District Magistrate.

(c) Section 149, Criminal Procedure Code.

(d) No.

(e) No.

(f) Does not arise.

Chaudhri Allah Dad Khan : I definitely gave the name of the paper and its date and it was up to the Government to have seen the article and enquire! the complaint mentioned therein. Is the Government above these things ?

The Honourable Sir Henry Craik : The honourable member's question was whether a certain article had come to the notice of Government and my answer is that it did not.

Chaudhri Allah Dad Khan : It was suggested in the question that there was a complaint and there was nothing to prevent the Government from enquiring into it.

The Honourable Sir Henry Craik : The honourable member asks information on a question of fact and I have answered it. I did make enquiries of the complaint quite independent of the article and I have given him the results of the enquiries.

SALE OF MEAT BY FIDA HUSAIN, BAKER, THANESAR MANDI.

***2504. Chaudhri Allah Dad Khan :** Will the Honourable Member for Finance please state—

- (a) whether he is aware that the tahsildar of Thanesar in the Karnal district served a notice on Fida Husain, a baker in the Thanesar Mandi, calling on him to stop selling cooked meat and eggs at his shop, on the 19th June 1933 ;
- (b) whether he is aware that this notice in (a) was issued in accordance with the orders of the Deputy Commissioner of Karnal ;
- (c) under what law was the notice in (a) issued ;
- (d) whether the Government is aware that the notice mentioned in (a) above has produced an intense dissatisfaction in the meat-eating public of Thanesar ;
- (e) if the answer to (d) is in the affirmative, what action Government intends to take in the matter ?

The Honourable Sir Henry Craik : Government have no information.

GRIEVANCES OF LORRY DRIVERS OF ROHTAK.

***2505. Chaudhri Allah Dad Khan :** Will the Honourable Member for Finance please state—

- (a) whether a representation containing the proceedings of a meeting of the drivers of hackney lorries of the Rohtak district held on 12th May 1933 was submitted to the Inspector-General of Police, and the Commissioner, Ambala division, detailing the grievances of the lorry drivers against the Deputy Superintendent of Police, Rohtak ;
- (b) how many applications of the lorry drivers of Rohtak for recovery of fares of lorries used by the Deputy Superintendent of Police, Rohtak, from March 1933 to May 1933 were received by the Deputy Commissioner, Rohtak, and with what result ;

[Ch. Allah Dad Khan.]

- (c) what instances of the abuse of his powers by the Deputy Superintendent of Police, Rohtak, were given in the representation referred to in (a) above ;
- (d) whether an independent enquiry has been held into the allegations in (c) and (a) above and with what result ? If not, why ?

The Honourable Sir Henry Craik : (a) Yes.

(b) Two. Both were rejected as groundless.

(c) and (d) Several instances were alleged but were found to be groundless on examination by the Deputy Inspector-General of Police, Eastern Range.

Chaudhri Allah Dad Khan : I have definitely asked in the question what instances of abuse of powers by the District Superintendent of Police were given in the representation and I am still in the dark as to what those were.

The Honourable Sir Henry Craik : All the instances were enquired into and the complaints were found to be groundless.

Chaudhri Allah Dad Khan : What sort of instances ?

The Honourable Sir Henry Craik : If the honourable member wants to know more about these lorry drivers at Rohtak, I would like to inform him that the Inspector-General of Police found that little or no control was exercised over public motor vehicles in the Rohtak district. Many of the owners of these vehicles were evading examination and were evading payment of taxes. The Deputy Superintendent was directed to take steps to establish effective control and the owners and drivers thereupon began to show resentment by personal attacks supported by groundless petitions against the Deputy Superintendent.

Mr. Mukand Lal Puri : Arising out of the statement made by the Honourable Finance Member, may I ask whether the Government took any action against the Deputy Superintendent or any of the subordinates for negligence in allowing the lorry drivers to ply lorries without being examined ?

The Honourable Sir Henry Craik : Notice.

COMMUNAL REPRESENTATION IN REVENUE ESTABLISHMENT IN JULLUNDUR DIVISION.

***2506. Sardar Arjan Singh :** Will the Honourable Member for Revenue be pleased to state—

- (a) the population of Ludhiana and Hoshiarpur districts community-wise ;
- (b) the amount of land revenue paid by Sikhs, Hindus and Muham-madans separately in the Hoshiarpur and Ludhiana districts ;
- (c) the number of 'patwaris' and 'Kanungos' in the Ludhiana and Hoshiarpur districts communitywise ;

(d) the number of naib-tahsildar and tahsildar candidates who were accepted in the last three years in the Jullundur division districtwise and communitywise?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a), (b), (c) and (d) Statement is laid on the table.

STATEMENT.

				TOTAL POPULATION IN	
Community.				Hoshiar- pur district.	Ludhiana district.
(a) Mussalman	..	..	..	328,078	285,590
Hindu	..	..	..	414,353	102,441
Sikh	..	..	..	173,147	312,329
				AMOUNT OF LAND RE- VENUE PAID IN	
				Hoshiar- pur district.	Ludhiana district.
				Rs.	Rs.
(b) Mussalman	..	..	..	5,96,632	3,40,670
Hindu	..	..	..	3,44,987	84,352
Sikh	..	..	..	8,81,855	10,69,662
(c) <i>Ludhiana district—</i>					
		<i>Mussalman.</i>	<i>Hindu.</i>	<i>Sikh.</i>	<i>Chris- tian.</i>
Kanungos	..	18	8	4	..
Patwaris	..	88	180	88	1
<i>Hoshiarpur district—</i>					
Kanungos	..	16	11	4	..
Patwaris	..	193	248	44	..

[Hon. Cap. Sardar Sikander Hyat Khan.]

(d) No recruitment to the posts of naib-tahsildar and tahsildar candidate has been made since 1930. The statement below shows the figures for 1930 :—

District.				Naib-tahsildar candidates.	Tahsildar candidates.
Kangra	..	..	..	..	..
Hoshiarpur	..	..	..	1	2
Jullundur	..	..	..	3	..
Ludhiana	..	..	..	2	..
Ferozepore	..	..	..	2	..
Total				8	2
<i>Community—</i>					
Mussalman	..	..	..	4	1
Hindu	..	..	..	1	..
Sikh	..	..	..	3	1
				8	2

SIKH SUPERINTENDENTS OF DEPUTY COMMISSIONER'S OFFICES,
JULLUNDUR DIVISION.

***2507. Sardar Arjan Singh:** Will the Honourable Member for Revenue be pleased to state whether it is a fact that there is not a single Sikh Superintendent of Deputy Commissioner's office in the Jullundur division; if so, whether the Government intends to take any steps to secure due representation of Sikhs in the said cadre?

The Honourable Captain Sardar Sir Sikander Hyat Khan: The attention of the honourable member is drawn to the reply given to Council question No. 240 on the 2nd December 1931.

POLICE ESTABLISHMENT OF THE LUDHIANA DISTRICT COM-
MUNITYWISE.

***2508. Sardar Arjan Singh:** Will the Honourable Member for Finance kindly state the total number of sub-inspectors, constables and head constables in the police establishment of the Ludhiana district communitywise?

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

STATEMENT.					
	Hindus.	Muslims.	Sikhs.	Chris- tians.	
Sub-Inspectors	..	4	11	1	1
Head constables	..	11	47	16	..
Constables	..	41	350	47	..

RECRUITMENT OF EXTRA ASSISTANT COMMISSIONERS.

***2509. Diwan Bahadur Raja Narendra Nath :** (i) Will the Chief Secretary be pleased to state whether recruitment to Extra Assistant Commissionership is made in the following proportion :—

- (a) 25 per cent. by open competition ;
- (b) 87½ per cent. by promotion from Tahsildars ;
- (c) 12½ per cent. from Ministerial services ;
- (d) 25 per cent. by direct nomination by the Governor.

If the answer to the above is in the affirmative, when was the policy fixing the above proportion adopted ;

(ii) will the Honourable Member further state in this respect—

- (a) when the last competitive examination was held ;
- (b) whether any appointments have been made from tahsildars and from ministerial services or by direct nomination in the years in which no competitive examination was held ;
- (c) whether it is intended to abolish the competitive system altogether ;
- (d) if the answer to (c) is in the negative, why examination was held in abeyance, while appointments continued to be made under other heads ;
- (e) the number of Hindus, Muhammadans, and Sikhs who were given appointments from tahsildars, ministerial services and by nomination during the last 7 years ?

Mr. C. C. Garbett : (i) Yes : with effect from the 19th of March 1930.

(ii) (a) October 1930.

(b) No fresh additions were made to the registers of accepted candidates. Candidates whose names were already on the registers were of course posted out. These included competitioners.

(c) No.

(d) The honourable member assumes that the answer to part (b) was in the affirmative. The assumption is incorrect.

(e)

Hindus.	Muslims.	Sikhs.
35	53	20

Diwan Bahadur Raja Narendra Nath : May I ask when the competitive examination is likely to be revived ?

Mr. C. C. Garbett : Owing to unexpected casualties it is probable that there will be an examination before the close of the year.

RECRUITMENT OF TAHSILDARS.

***2510. Diwan Bahadur Raja Narendra Nath :** Will the Honourable Member for Revenue be pleased to state how many Hindus, Muslims and Sikhs were appointed to the post of tahsildar during the last 7 years (a) directly and (b) by selection from other offices ?

The Honourable Captain Sardar Sir Sikander Hyat Khan :

		<i>Hindus.</i>	<i>Muslims.</i>	<i>Sikhs.</i>	<i>Others.</i>	<i>Total.</i>
(a)	--	5	12	2	<i>Nil.</i>	19
(b)	..	93	40	9	1	88
		<hr/> 98	<hr/> 52	<hr/> 11	<hr/> 1	<hr/> 102

LAND REVENUE DEMAND IN AMBALA AND KARNAL DISTRICTS.

***2511. Chaudhri Allah Dad Khan :** Will the Honourable Revenue Member please state—

- (a) how much of the land revenue demand for *rabi* 1938 was deposited in each tahsil of Ambala and Karnal districts before 15th June 1938, the date on which it became payable to Government for this harvest ;
- (b) whether he is aware that zamindars in Ambala and Karnal districts were severely pressed by the tahsildars to pay land revenue demand in (a) before 15th June ;
- (c) whether he is aware that the facts in (b) compelled zamindars in the Ambala and Karnal districts to sell their produce at cheaper rates ;
- (d) if the answer to (b) and (c) are in the affirmative, what action Government intends to take in the matter ?

The Honourable Captain Sardar Sir Sikander Hyat Khan :

(a) District.		Tahsil.	Land revenue paid before 15th June 1938.
			Rs.
Ambala	..	.. Ambala ..	749
		Naraingarh	657
		Jagadhri	13,172
		Kharar ..	88,557
		Rupar ..	88,550
			<hr/> 1,86,685 out of a total demand of
			Rs. 4,10,917.
Karnal	..	.. Karnal ..	6,755
		Panipat ..	66,425
		Kaithal ..	8,100
		Thanesar..	42,650
			<hr/> 1,18,930 out of a total demand of
			Rs. 5,09,626.

- (b) No pressure was brought to bear on the zamindars.
- (c) and (d) Do not arise.

Chaudhri Allah Dad Khan : It was not the practice in the previous year.

The Honourable Captain Sardar Sir Sikander Hyat Khan : There is nothing to stop them from paying into the treasury earlier.

Chaudhri Allah Dad Khan : From whom did you make the enquiries ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : From the district officers.

Chaudhri Allah Dad Khan : Did any independent officer make the enquiry ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I consider the Deputy Commissioner to be an independent officer.

Chaudhri Allah Dad Khan : If I send an application in this connection, will the Honourable Member take any action ?

Mr. President : A hypothetical question need not be answered.

SUBORDINATE EDUCATIONAL SERVICE AND STATUTORY AGRICULTURISTS.

***2512. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) the number of Hindus who passed out of the Central Training College at Lahore during the last five years and the number of statutory agriculturists among them ;
- (b) the number of Hindus recruited in the anglo-vernacular section of the subordinate educational service during the last five years and the number, tribe and district of the statutory agriculturists among them ?

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

ADMISSION TO THE CENTRAL TRAINING COLLEGE.

***2513. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) the number of candidates who applied for admission to the Central Training College at Lahore this year ;
- (b) the number of Hindus, Muslims and Sikhs among the candidates referred to in (a) ;
- (c) the number of Hindus, Muslims and Sikhs selected for admission and the number of statutory agriculturists under each group ;
- (d) whether among the Hindu agriculturists selected there were any from the districts of Rohtak, Hissar, Karnal, Gurgaon and Ambala ;
- (e) the name, tribe and place of birth of the candidates referred to in (d) ;

[R. B. Ch. Chhotu Ram.]

- (f) whether selections are made by the Principal alone or by the Principal assisted by other gentlemen ;
- (g) whether preliminary sifting is done by lecturers appointed for the purpose by the Principal ;
- (h) whether among those who assist the Principal at any stage there has ever been a statutory agriculturist during the last five years ;
- (i) whether among the candidates selected this year there are any third division graduates, and if so, what are their names, religion, tribe and district ?

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

DISTRICT INSPECTORS OF SCHOOLS AND STATUTORY AGRICULTURISTS.

***2514. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

- (a) the number of Hindu district inspectors of schools in the province on the 1st January 1933 and the 15th July 1933 ;
- (b) whether among the district inspectors referred to in (a) there is anybody belonging to a statutory agricultural tribe ;
- (c) whether anybody serving in Rs. 110—5—135 grade has been appointed a district inspector of schools during the last three years ;
- (d) whether there are any statutory Hindu agriculturists serving in Rs. 110—5—135 grade with any experience in the inspecting line ;
- (e) whether it is a fact that there are three Hindu district inspectors of schools in the Ambala division and they are all non-agriculturists ;
- (f) whether it is a fact that most of the Hindu agriculturist assistant district inspectors are serving under the three district inspectors referred to in (e) ;
- (g) whether it is a fact that the controversy about agriculturists and non-agriculturists is keenest in the Ambala division ?

The Honourable Malik Sir Firoz Khan Noon : (a) Eight.

(b) No.

(c) Yes in the Simla district only.

(d) Yes.

(e) Yes.

(f) Five out of sixteen Hindu agriculturist assistant district inspectors are working under the district inspectors referred to in (e).

(g) This may be the case.

GRANT-IN-AID TO PRIVATE SCHOOLS.

***2515. Rao Bahadur Chaudhri Chhotu Ram:** Will the Honourable Minister for Education kindly state the relative diminution in grant-in-aid to private schools in the five divisions during the last four years?

The Honourable Malik Sir Firoz Khan Noon: The honourable member is advised to consult the statement of grants sanctioned for aided Indian Schools during the years 1927-28 to 1931-32, a copy of which has already been supplied to him. The statement containing figures for the year 1932-33 is under preparation and a copy thereof will be supplied to him in due course.

GOVERNMENT GIRLS SCHOOLS.

***2516. Rao Bahadur Chaudhri Chhotu Ram:** Will the Honourable Minister for Education kindly state the number of (a) Government Girls High Schools, and (b) Government Girls Middle Schools in the province and in the districts of Rohtak, Hissar, Gurgaon and Karnal respectively?

The Honourable Malik Sir Firoz Khan Noon: A statement giving the required information is laid on the table:—

	In the Province.	IN THE DISTRICTS OF			
		Rohtak.	Hissar.	Gurgaon.	Karnal.
(a) Government Girls High Schools	22	1	1	..	1
(b) Government Girls Middle Schools	4	..	..	1	..

GIRLS IN SCHOOLS.

***2517. Rao Bahadur Chaudhri Chhotu Ram:** Will the Honourable Minister for Education kindly state the number of girls studying in the Middle and High Departments in the five divisions respectively?

The Honourable Malik Sir Firoz Khan Noon: The number of girls on rolls on 31st March 1933 in the high and middle departments division-wise was as follows:—

	High department.	Middle department.
Ambala Division	33	321
Jullundur Division	210	1,206
Lahore Division	552	3,312
Rawalpindi Division	111	1,028
Multan Division	92	803

WATER SUPPLY IN ROHTAK AND HISSAR DISTRICTS.

***2518. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state whether it is a fact that in portions of the Rohtak and Hissar districts the water at ordinary sub-soil level is bitter or very salty ; if so, what steps have been taken to improve water supply there and what amounts have been spent in the two districts respectively during the last five years ?

The Honourable Malik Sir Firoz Khan Noon : The information asked for by the honourable member is being collected, and will be communicated to him, when available.

COLLECTION OF LAND REVENUE IN JHAJJAR TAHSIL.

***2519. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly place on the table of the House a list showing—

- (a) the number and names of the villages in the tahsil of Jhajjar (Rohtak district) where land revenue had remained in suspension for two successive harvests and was ordered to be realised at the time of the last *kharif* or present *rabi* just when the third harvest came on ;
- (b) whether any enquiry was made from the zamindars of the villages referred to in (a) as to the character of the third harvest following the two successive suspensions referred to in (a) ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Nil.
(b) Does not arise.

COLLECTION OF LAND REVENUE IN SONEPAT AND GOHANA TAHSILS.

***2520. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) the number of villages in the tahsils of Sonapat and Gohana (Rohtak district) which have been asked to pay not only the land revenue due on the present *rabi* but also arrears in whole or in part ;
- (b) whether any enquiry was made as to the proportion which the cropped area in the present *rabi* bore to the average cropped area for the same harvest in the villages referred to in (a) ;
- (c) whether any enquiry was made as to the extent of the damages done by unusual weather in April and May in these villages ;
- (d) by whom the enquiry referred to in (a) and (b) was made ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The information has been called for from the local officers and will be supplied to the honourable member as soon as received.

REFUNDS OF CHAHI DUES.

***2521. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state—

- (a) whether a question (No. 1921) was asked in the Council on 1st December 1931 about the number of irrigation wells in the tahsils of Jhajjar and Sonapat (Rohtak district) which had been out of use for five years in succession ;

- (b) whether in answer to another question (No. 11327) on the same subject asked on 28th March 1932 an assurance was held out that refunds would be made of *chahi* dues in respect of such of those wells as were recommended for refunds by the Deputy Commissioner of the district ;
- (c) whether any refunds have so far been recommended ;
- (d) whether any refunds have so far been granted ;
- (e) the date of the recommendation referred to in (c) and the date of the order of refund referred to in (d) ;
- (f) if no recommendation has been received or no refund directed so far, the reasons for the delay ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) (b) and (c) Yes.
 (d), (e) and (f) The attention of the honourable member is invited to the replies given to Council questions Nos. 2201 and 2300 on 28th February, 1933, and 8th March 1933 respectively. Figures regarding wells of the Kheora circles in tahsil Sonapat will be supplied to the honourable member separately.

BHAKARA DAM PROJECT.

***2522. Rao Bahadur Chaudhri Chhotu Ram:** Will the Honourable Member for Revenue kindly state whether any arrangements have been made or are in contemplation to obtain the consent of the Patiala and Bilaspur Durbars for the Bhakra Dam Project ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : As regards Patiala and the other States who will share in the Project various alternatives are under discussion with a view to arriving at a scheme to which agreement can be obtained.

As regards Bilaspur it is proposed to re-open negotiations for the acquisition of the reservoir site when the agreement of all the parties concerned on a suitable project has been secured.

NOMINATIONS TO DISTRICT BOARD, ROHTAK.

***2523. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether the number of nominated members of the District Board of Rohtak has been increased by one subsequently to the original notification of elected and nominated members ;
- (b) whether this increase is due to the fact that the number of Muslim members had fallen below the usual proportion and an additional Muslim member had to be nominated ;
- (c) if the reason suggested in (b) is not the correct reason what other reasons account for this increase ;
- (d) if the reason suggested in (b) is the correct reason what were the reasons which prevented a sufficient number of Muslims being nominated originally ;
- (e) whether it is a fact that the original strength of the District Board was 34 elected members, 5 non-official nominated members and 5 official members ;

¹Vol. XXI, page 698 and Appendix, page XVII.

²Vol. XXIII, page 95.

³Vol. XXIII, page 335.

[R. B. Ch. Chhotu Ram.]

- (f) whether it is a fact that 82 out of the 84 elected seats had been captured by Hindus, and that out of the 5 nominated non-official members originally selected 3 were Hindus ;
- (g) if the facts stated in (f) are correct what was the justification for nominating 3 Hindus and only 2 Muslims thus necessitating an increase in the nominated element ;
- (h) what were the specific interests represented by each of the three Hindu members nominated which were not already represented effectively by the elected members ;
- (i) whether the district board was consulted about the propriety of this increase in the nominated element ;
- (j) whether the Government is prepared to place on the table of the House any correspondence which may have passed between the Ministry of Local Self-Government and local officers.

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

(b) Five non-official members were to be appointed. When the appointments were made it was not known what would be the result of one election (Guryani) which had to be postponed owing to a riot, but it was expected that a Muslim would win it. As it was thought desirable to appoint a member of the depressed classes, it was decided to make a sixth appointment. Had a Muslim been elected for Guryani, as expected, a member of the depressed classes would have been appointed, but the Muslim was defeated, and as a third Muslim had to be appointed the sixth seat was given to a Muslim.

(c) and (d). The reply has been given above.

(e) Yes.

(f) Yes.

(g) The reply has been given above.

(h) One Hindu member represented the non-agricultural haisiyat tax-payers, one the Gaur Brahmans and as regards the third the honourable member is referred to the reply to starred Council question No. 2296.¹

(i) No.

(j) No.

Mian Nurullah : Why was it not thought desirable to recommend a depressed class man ?

The Honourable Dr. Gokul Chand Narang : Because it is desirable that every section of the community should be represented as far as possible.

Mian Nurullah : How many members of the depressed class were there already ?

The Honourable Dr. Gokul Chand Narang : I require notice of it. I remember there is one at Hoshiarpur.

Mian Nurullah : I am talking of Rohtak.

The Honourable Dr. Gokul Chand Narang : To my knowledge none.

Mian Nurullah : Under what section of the Act has the number of members referred to in (a) been increased ?

The Honourable Dr. Gokul Chand Narang : Under the section under which Government is authorised to make nominations. I do not remember the exact section at present.

PAPERS LAID ON THE TABLE.

Secretary : Letter from the Registrar, University of the Punjab, to the Under-Secretary to Government, Punjab, in regard to the debate in the Punjab Legislative Council on the 16th March 1933 relating to the Geography question paper for the Matriculation Examination is laid upon the table.

Copy of letter No. 8937, dated the 16th May 1933, from the Registrar, University of the Punjab, Lahore, to the Under-Secretary to Government, Punjab (Ministry of Education).

I AM directed to acknowledge the receipt of your letter No. 10218-R., dated the 12th May 1933, to the Vice-Chancellor, and to inform you that the paper objected to was considered by the School Board at its meeting held on the 17th of March 1933. A copy of the decision of the School Board on the subject is attached herewith. It may be pointed out that the pass percentage in the Geography paper under reference was 90 per cent. in Part I and 92 per cent in Part II.

It is requested that this may be brought to the notice of the Honourable Minister for Education for his information, and if necessary for the information of the Council or the member concerned.

OFFICE OF UNDER-SECRETARY TO GOVERNMENT, PUNJAB.

No. 11462-R., dated Lahore, the 2nd June 1933.

Copy, together with a copy of the enclosure, forwarded to the Secretary, Punjab Legislative Council, Lahore, for information and necessary action, with reference to the correspondence ending with his letter No. 434 of 1933, dated the 22nd April 1933.

*Inspector of Training Institutions,
for Under-Secretary to Government, Punjab.*

*Proceedings of an emergent meeting of the School Board held on Friday, the 17th March 1933,
at 6-30 P. M., in the Hailey Hall, Lahore.*

PRESENT :

R. Sanderson, Esq. (in the Chair).

Miss L. M. Stratford.

Dr. Kh. Shuja-ud-Din.

Mr. Mukand Lal Puri.,

Bakhshi Ram Rattan.

M. Mohammad Shafi.

Professor Gulbahar Singh.

Professor S. N. Das Gupta.

Professor Mohammad Shafi.

W. A. Barnes, Esq. (Honorary Secretary).

1. The Board discussed at some length the complaint received from the Secretary, Head Masters' Association, Lahore, about the Geography paper set for the Matriculation Examination this year and decided that :—

(i) as the language of most of the questions was rather vague and ambiguous, and

(ii) the question paper was rather too lengthy to be finished in the time allotted, by an average Matriculation candidate,

Five marks (2 in Part I and 3 in Part II) be added to the sum total of marks gained by each candidate in the Paper.

(Sd.) W. A. Barnes,

Honorary Secretary.

Confirmed.

(Sd.) R. Sanderson,

Chairman.

RESOLUTIONS.

KHARABA.

Khan Haibat Khan Daha (Multan East, Muhammadan, Rural) : Sir, before proceeding with the further discussion of my resolution¹ moved on 23rd March last, will the Honourable Member for Revenue kindly say whether the committee appointed by the Government in connection with *abiana* is entitled to discuss the resolution standing in my name ?

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) : I do not think that the committee will be entitled to discuss any resolutions ; but it can discuss anything which comes within the purview of its terms of reference. This resolution was moved by the honourable member at the last session of the Council. I am not aware with what object it has been moved. If it is to secure relief for the zamindar, I dare say that that committee may be able to go into it. But so far as the business of the committee is concerned, it would entirely rest with the committee to draw up its own agenda and to discuss such questions as it thinks necessary, and if the object of the honourable member is merely to secure relief for the zamindar, I have no doubt that this point could be taken up by the committee if it so desires.

Khan Haibat Khan Daha : In view of the assurance given by the Honourable Revenue Member I beg leave to withdraw the resolution.

Mian Nurullah : Very few members spoke on the day when the resolution was discussed last session. This resolution stands first in the list of business for to-day and many of the honourable members are desirous of speaking and giving vent to their feelings on this most important question of *kharaba*. Is the honourable member in order in withdrawing the resolution at this stage ?

Mr. President : The honourable mover of the resolution does not wish to proceed with it and has accordingly made a request for leave to withdraw it.

Mian Nurullah : I want to know if he is in order in making this request.

Mr. President : He is certainly in order. Does any rule or standing order debar him from making such a request ?

Mian Nurullah : I just wanted light on that point and I am now satisfied.

Sardar Jawahar Singh Dhillon : He can withdraw it under Article 120 with the leave of the House.

(At this stage Mr. President ascertained the pleasure of the House as to leave being granted for the withdrawal of the resolution. A large number of members stood against leave being granted to withdraw.)

Mr. President : As so many members are against the request for leave to withdraw the resolution being granted, ordinarily I should proceed to put the resolution to the vote of the House. But in view of the fact that speeches, made on the resolution, when it was moved more than four months ago, are probably forgotten and request for leave to withdraw is apparently refused by so many members, because some of them wish to speak on the

¹Page 1092 *infra*.

resolution, I propose, if the House has no objection, to allow one or two members to speak and refresh the memory of the House with arguments for and against the resolution.

Chaudhri Nazir Husain : On a point of order. What is the meaning of the words "with the leave of the House in the rule?"

Mr. President : "The House" means the whole House. According to the Parliamentary practice even a single negative voice means refusal.

Chaudhri Nazir Husain : I was not asking about the Parliamentary practice on the point. I wanted to get an interpretation of the rule. Does it not mean that if the majority of the members of the House are in favour of the withdrawal the President has no option in the matter?

Mr. President : No. A single dissentient voice would mean refusal. The majority rule does not apply in this case.

Mr. Mukand Lal Puri : Do we understand that in future no resolution will be allowed to be withdrawn if even one member objects?

Mr. President : Yes. This is our practice.

Mian Nurullah (Lyallpur South, Muhammadan, Rural): This morning when I saw the new agenda which was sent to me I found this resolution coming up before the House and I had no idea of speaking on the matter but the circumstances since I came here have changed and just five minutes ago when questions were being put I received a letter which I must read to the House. It is very important indeed. If you had not allowed this discussion I would have been forced to bring an adjournment motion simply because the matter is so important. It shows what the Irrigation Department officers are doing. Before touching on the details of this letter I would just point out one or two things which we zamindars feel. The first thing of course, and this argument has already been advanced, is that the authority which is interested in the increase of revenue is also the authority which has to assess *khara*. This is what we object to, and that is why this resolution has been brought up so that this Department may not have power to do this. These powers should be given to the civil department. After giving these powers to the civil department, the Irrigation Department may keep a check on the other department so that no favours are allowed and nothing serious or objectionable can take place. The engineers are mostly thought to be superior to the revenue establishment and there is a sort of inferiority complex that is prevailing in the revenue establishment. In answer to some of my questions the Honourable Revenue Member replied that a resolution was passed by the civil revenue establishment sometime ago in a meeting held at Ferozepore asking the Government to transfer their revenue establishment to the civil side. Why was that done? What was the reason? That is what we want to know. For similar reasons we want that these powers of assessing *khara* should be transferred to the civil side. Coming to the rules which are very technical and which zamindars do not understand, barring of course a few educated and enlightened ones, they are very adverse to the interests of the zamindars. As long as *abiana* is very high, as long as other Government dues are high and as long as prices are very low and do not come to the normal figures, we would like *khara* to be liberally given. Now just to quote to you the

[Mian Nurullah.]

mentality of the officers of the Irrigation Department I will read one or two lines or even portions of a letter written by an executive engineer to his sub-divisional officer. This will throw a flood of light on the state of affairs.

The Honourable Captain Sardar Sir Sikander Hyat Khan : On a point of order. Is this question relevant? We are not discussing whether *kharaba* should be liberally given or not.

Mian Nurullah : I am not discussing whether *kharaba* should be given or not. I am giving reasons why this work should be transferred from the revenue to the civil side.

The Honourable Captain Sardar Sir Sikander Hyat Khan : The honourable member, I thought, said that the *kharaba* should be liberally given.

Mian Nurullah : No, I did not mean that; I am just explaining how their minds work. I am stating the fact that they do not give *kharaba* liberally and that is one reason why we want that these powers should be transferred. Now to come to that letter. It reads :

From the perusal of the statement of *kharaba* awarded in *kharif* 1931, I noticed that the *kharaba* is very high.

What is that very high?

For the whole division it is 2·03 per cent. compared to—

Look at this infinitesimal percentage.

1·56, 1·75 and 2·29 for *kharif* 1928-29 and 1930 respectively—

Why should it not be so, when in the last year and for good many years past there has been no rain and no water in the canals? This executive engineer who has under him the zilladars and deputy collectors has written—

For the whole division it is 2·03 per cent. compared to 1·56, 1·75 and 2·29 for *kharif* 1928-29 and 1930 respectively though the area cultivated has gone down, the percentage of *kharaba* has gone up.

The Honourable Captain Sardar Sir Sikander Hyat Khan : May I ask who is the author of that letter and to whom it is addressed?

Mian Nurullah : Do you want to know the name of the writer of the letter?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I would like you to place it on the table.

Mian Nurullah : I will place it on the table after I have read it out to the House. I was saying that it is just possible that there may have been inequitable distribution of water or there may have been no rains at all. Why should he compare the 1930 percentages with those of 1929? He is objecting to the 2·03 percentage.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Who is objecting?

Mian Nurullah : This executive engineer. The letter further reads:

This reflects badly on all concerned. The high percentage can be attributed to two causes. Firstly to want of proper distribution of supply during the season especially at the tails—

This is the proper thing which they want to guard against, which they do not want to come to light, this inequitable distribution of water.

The Honourable Captain Sardar Sir Sikander Hyat Khan : To whom is that letter addressed ?

Mr. President : Is the honourable member prepared to give the name of the writer of the letter ?

Mian Nurullah : I have no objection. It is from R. L. Batra, Esquire, Executive Engineer, Burala Division, Lyallpur, to the Sub-Divisional Officer, Kanya Sub-Division.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Where did the honourable member get the letter from ?

Mr. President : That question cannot be allowed to be asked.

Mian Nurullah : I was speaking of the inequitable distribution of supply of water at the tails. This is always the trouble with the zamindars. Tails always suffer from shortage.

Secondly due to award of *kharaba* lavishly. The chief culprits are the zilladars. The *kharaba* is the heaviest in Kamalia section where it is 3.03 percent. Next comes Kanya where it is 3.78 and after that Samundri where it is 2.93 per cent.

Now under the rules the zamindar is the person who is to recommend *kharaba* which is ultimately granted by the divisional officer of the canals. How can you expect a zilladar with this letter coming from the executive engineer to their knowledge to recommend *kharaba* even if the zamindar deserves it?

The minimum is in Tandlianwala section where it is 0.59 per cent. I can understand the reasons of high *kharaba* in Kamalia and Samundri sections. It is because of too many changes in the zilladars and the substitutes not realising their responsibilities—

Probably responsibility lies in not giving *kharaba*.

But high *kharaba* in Kanya is due to the inability of the zilladar Rahmat Ali whose work appears bad all round. His work should be carefully watched. Low *kharaba* in Tandlianwala section is really creditable to the sub-divisional officer Tandlianwala, and his zilladar for fair distribution and for careful inspection of *tanazas*.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I want to know whether it is a confidential document and I am entitled to find out where the honourable member got it from.

Mr. President : This House is not a court of inquiry, and the honourable member for Lyallpur is not on his trial. He is free to speak in this House. Outside it the Government may take such action as they may be advised to take.

The Honourable Captain Sardar Sir Sikander Hyat Khan : How can we know? It is only to find that out that I am putting the question. Unless he can vouch for its accuracy, how can we rely on the statements made therein.

Mian Nurullah : I do not see any reason why the Honourable Revenue Member should object every minute and rise to interrupt me.

Mr. President : Points of order cannot be deferred till the end of a speech.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I merely wanted to request that the Chair should ask the honourable member to take the responsibility for the accuracy of the contents of the letter.

Mr. President : Is the honourable member in a position to take the desired responsibility ?

Mian Nurullah : It is very difficult to say that. I have got the letter in my hands. It is numbered 485. If the Honourable Revenue Member were to send a telegram to the office to ascertain whether it is an authentic copy and also ensure that nobody meddles with the original file, then—

The Honourable Captain Sardar Sir Sikander Hyat Khan : I shall be perfectly satisfied if the honourable member would inform the House where he got the copy from.

Mian Nurullah : As it is, it is accurate. That is all I can say. I have not seen the original file myself. Nor can I say that I went to a magistrate and got this authentic copy. I do not know how I can vouch for its accuracy.

Mr. President : The only point is whether the honourable member is prepared to take responsibility for the accuracy of the contents of the letter which he is reading.

Mian Nurullah : Sir, as it is, to the best of my belief the letter is true and I am prepared to take responsibility so far. The letter proceeds :

Low *kharaba* in Tandlianwala section is really creditable to the Sub-Divisional Officer, Tandlianwala, and his Zilladar for fair distribution and for careful inspection of *tanazas*.

Here he admits that there was fair distribution, but the trouble is that most of the distribution is unfair.

The Honourable Captain Sardar Sir Sikander Hyat Khan : May I ask another question, Sir, with your permission ? What is the procedure if it is subsequently found that this letter is not authentic ? What would happen to the honourable member ?

Mr. President : The honourable member's question is a hypothetical one. It does not arise at this stage.

Mian Nurullah : So the zilladars think that the *kharaba* that Government give—

Khan Bahadur Mian Mushtaq Ahmad Gurmani : May I ask if the honourable member is at liberty to violate an Act of the Indian Legislature and is he not violating the Official Secrets Act ?

Mr. President : Subject to Rules and Standing Orders there is freedom of speech in this House.

Mian Nurullah : This is a letter which I read before the Chief Engineer, Mr. Hadow, at the informal conference called on the 6th of February last and no one objected to it then. I was never asked whether it was genuine or not, and I do not see why there should be any objection now.

The Honourable Captain Sardar Sir Sikander Hyat Khan : How could any one object if I take up a paper and start reading it ? That is not the point. I am not saying that there is anything objectionable in the letter. I merely wanted the honourable member to take responsibility for its authenticity and accuracy.

Mian Nurullah : This just shows the mentality of the officers who work it out. That is why we want these powers to be transferred. It is

[Mian Nurullah.]

وہاں ہی ضائع ہو گئی۔ اس سال اپنا ہر فصل ربيع پر جو ہندی چالی رسی ہر ایک فسر پر رشی ہے۔ ان دس اوم میں جو فصل کی حالت نہ بدل گئے وہ وہ ہر اکر کے لکھوات لگاؤ گئے تھے۔ کسی فسر علی نے ہرنال پھن کی۔ ان کو کوئی افسر مرقعہ پر آکر ضلعدار صاحب بہادر کے معافی کئے ہوئے رقبہ میں برقال کوا ہی تو معافی شدہ رقبہ میں ہے۔ ایک ہی مرقعہ کاٹا جاسکنا خرابہ بالکل صحیح اور جائز تھا۔ ہر اس کے انصاف اور ستم کے کیا معنی ہیں۔ ہم بوجہ نہیں سکتے بس عالی جاہا ہم زمینداران اس کے انصافی پر سخت فالان اور حیران ہیں تو کیا سات آٹھ سو کے قریب رقبہ خرابہ کات دیا گیا ہے۔ جس کا پورا عمل ہو چکا تھا۔ پوچیان معافی مل گئیں۔ کہتوئی مہتمم ہو گئی۔ وہ محسارہ جو زمینداران کو ایک فصل کو دس یوم تک کہتا رہنے کی حالت میں ہوا تھا پہنچ چکا تھا۔ پھر معافی کات کو از سر نو کہتوئی تیار ہوئی۔ اٹنا ظلم و ستم ہم برداشت نہیں کر سکتے۔ آگے ہی ہم پر اصلی معاملہ کی شرح ہی بہت بھاری بوجہ ہے۔ پھر معافی اور خرابہ ضبط ہوئے شروع ہو گئے پھر ہم کہاں جائیں۔ ہراساں ہو کر ہم نے صاحب مہتمم صاحب بہادر اور ڈپٹی کمشنر صاحب بہادر اور ایسر مال صاحب بہادر اور تحصیلدار صاحب بہادر کی خدمت میں درخواستیں گزاریں۔ لیکن تا حال کوئی جواب ہم کو نہیں ملا۔ انوار ہے کہ ہمارے واؤڈ پر صاحب ڈپٹی کمشنر بہادر نے محکمہ مہتمم صاحب بہادر سے فر دہائے معافی طلب فرمائی ہیں مگر مہتمم صاحب نے نہیں بھیجیں۔ اب وصولی معاملہ شروع ہو گئی ہے۔ معاملہ تو درکنار ہمارے پس تو بال بچوں کے کھانے کو جو اناج بھی ہے وہ بھی ختم ہوا چاہتا ہے۔ اس سال بوجہ بھاری ہندی انہار کاشت بہت کم ہوئی تھی۔ جو ہوئی بھی وہ سوکھ گئی۔ محکمہ کے کاغذات سے ظاہر ہے کہ کس قدر کاشت ہوئی اور کس قدر ہندی پھر رہی۔ عالی جاہا۔ اس کے انصافی کو آپ کونسل میں پیش کریں اور ہماری داد دیں۔ آپ کے بال بچوں مال جان کو دعا دیتے رہیں گے۔ والسلام۔

عوض

فدویان زمینداران علاقہ سالار والہ بنگلہ لاٹل پور ڈویژن بذریعہ

محمد منیر چک نمبر ۱۴۷ رکھہ برانچ۔ ڈاکخانہ چک

نمبر ۱۴۳ رکھہ برانچ براسٹہ چک جہودہ تحصیل و ضلع

لاٹل پور۔ مورخہ ۲۰ جولائی سنہ ۱۹۳۳ء۔

This is one letter. There is a similar complaint from Chak No. 140. This matter is of utmost importance and the letter clearly says that the zilladar came and inspected and probably found certain crops bad and recommended *khara*. The zamindars were ordered and their thumb impressions taken to keep the crops standing for ten days. In spite of all this nobody came to inspect those fields and all the crops went to the dogs. Then due to some enmity between the zilladar and the deputy collector *khara* was cancelled.

I do not know how far this was legal, but there it is. When about ten days ago one fellow from Chak 140 came to me and told me this, I did not take notice of it. But here is a *parcha* properly given by the authorities concerned. The latter part of the letter dwells on the fact that there has been no water in the canal. There might be some relevant points in the latter portion of the letter and I shall, therefore, read it out. The reason why a feeling of discontentment exists amongst zamindars against the Government is because of the actions of the Irrigation Department. The zamindars are feeling and feeling very strongly in the matter. The revenue is now being collected and these people cannot do anything whatever.

The Honourable Captain Sardar Sir Sikander Hyat Khan: I am sure that the honourable member will not be prepared to vouch for the accuracy of the statements made.

Mian Nurullah: This is a letter which I received just in time this morning. I shall place this and the other letter on the table and I am also prepared to say that this is a genuine letter received by me through post.

The Honourable Captain Sardar Sir Sikander Hyat Khan: I only wish to know whether the honourable member is prepared to vouch for the accuracy of the statement that the deputy commissioner asked for certain papers and the executive engineer refused to give them.

Mian Nurullah: That portion may very well be ignored for my purpose. I am not laying any stress on that statement. With regard to the whole letter I say that I received it this morning through post and even the envelop is here.

Chaudhri Allah Dui Khan: May I know under what rule the Honourable Revenue Member is asking the speaker for taking responsibility for the accuracy of his statements at every stage? If this sort of thing were allowed I am afraid no speech will be possible here.

Mr. President: I think, a member must be sure of his facts. He may not be responsible for the accuracy of every word he speaks, but on the whole the facts he states on the floor of the House should be correct to his knowledge and belief.

Chaudhri Allah Dui Khan: He has not made any assertion on his own behalf. He has asserted that a letter has been received by him through post and has been lying on his table.

Mr. President: Unless he was satisfied as to the accuracy of the statements contained in that letter he ought not to have read it to the House.

Chaudhri Allah Dui Khan: His knowledge of the legality is quite sufficient.

Mr. President : Will the honourable member please resume his seat ? I cannot allow my ruling to be discussed.

Mian Nurullah : I am prepared to take responsibility so far as the letter from Chak 140 is concerned.

Mr. President : The honourable member would have been fully justified to put this letter before the House if he had verified the facts stated therein. But he ought not to have read it if he was not sure of the facts contained therein.

Mian Nurullah : Sir, I am not going into further details. It would require a few hours on the question of *kharaba* which has been discussed in my own time at many committee meetings and in the Council. I may point out to the honourable mover who wanted to withdraw the resolution on the mere assurance of the Revenue Member, that that assurance would not have meant anything. Further, it is possible that the committee which is being appointed and which might take this matter into consideration may not have a definite majority on it. In these circumstances without going into further details I commend this resolution to the House and I trust that it will be whole-heartedly supported.

Mr. C. C. Garbett (Chief Secretary) : Sir, it is with no small diffidence and indeed with very considerable abashment that I rise to address you on the motion before the House. I find myself somewhat in the position of a recent convert on the penitent bench of a revival meeting. You, Sir, among the many assemblies which you have adorned with the dignity of your presence can hardly have included a revivalist meeting and perhaps the mere phraseology is strange to some members of this House, but I think if I may explain myself the point will become clear. In all countries in which there is an established religion, there comes a time when men forsake the faith of their forefathers and follow strange heresies, led thereto it may be by some subtle similarity of sense or sound. Then there arise one or more people who desire to revive the old truths and the old faiths and endeavour by argument to persuade those who are falling into error.

Mian Nurullah : How is that relevant to the resolution ?

Mr. C. C. Garbett : My friend has erred and I would show him his error. In this particular case the error has arisen from that small point of contact that arises partly from the similarity in terminology and partly from a similarity between the duties of patwaris of the Canal Department and of the Revenue Department. After all both are called by the same name and to some small extent perform somewhat similar functions. Hence the idea which came to the mover of this motion that there should be in future one patwari and not two patwaris doing one duty instead of two duties and with that he hoped that the nature of one patwari should be changed, and the nature of the patwari who should take over the work would become of an angel incorruptible. In the volume of the law of revenue—the penta-teuch I might call it—consisting of the Land Revenue Act, the Land Tenancy Act, Douie's Settlement Manual, the Land Administration Manual, and the Rules under the Acts, it is clearly established that these two individuals have divergent functions. Indeed just as two lines of an angle meet at a point and the further you proceed from it the wider is the divergence, so the closer you consider the work of the two patwaris the wider you find

their functions are. These points have been laid before the House by my friend the Financial Commissioner for Development who has exhorted the House to return to the true doctrine.

Precept has failed to convince and I now state before you a terrible example, for you will remember, Sir, in 1923-24 this very heresy was cherished on this side of the House by officers of Government and in those days I was Senior Secretary to the Financial Commissioner who was persuaded fully of the truth of the doctrine or rather the heresy which my honourable friends on the other side of the House are now endeavouring to persuade us to follow. There is one thing which is much stronger than precept and that is example. If you have a theory which appears plausible, try it out. I gravely deprecate the tone and the language used by the honourable member who has just sat down who has attempted to cast aspersions on the honesty of intention and the integrity of purpose of those officers of Government who on the Western Jumna Canal very thoroughly tried out this experiment. I had a good deal to do with the actual preparing of it and I have personal knowledge of the keenness which inspired Mr. King, the Financial Commissioner. It is little short of scandalous that a member on such little knowledge should get up and cast aspersions on members who are not here to defend themselves. If he had taken the trouble to read the introductory speech of Mr. King, the Financial Commissioner, with which that scheme was inaugurated, he would have found that it was not inaugurated as an experiment. Mr. King said that it was the settled policy of Government and that it was being taken in no spirit of experiment. He said that we intended to work it on this canal and then proceed to other canals. And yet after five years of honest endeavour we found that the scheme actually broke down. After all the real thing is the human element. The patwari of the Irrigation Department and the patwari of the Revenue Department are both drawn from the same strata of society.

Mr. President : But that is not the resolution. The resolution is that the powers of the canal authorities regarding the grant of *khara* should be transferred to the revenue authorities.

Mr. C. C. Garbett : Quite so. That is my point. The Canal Department deals through its patwaris and zilladars and the Revenue Department deals through its patwaris and naib-tahsildars, and that was the experiment we made on the Western Jumna Canal and we found it failed miserably. So you will find that the scheme has been tried and it has failed. It is a pretty fancy but if you press it you will not find that the fancy works out in fact. That is all I wish to lay before you, Sir, that fact is a lot stronger thing than a theory, and this theory has been tried out in fact and it has failed.

Sardar Sampuran Singh (Bhalla, Sikh, Rural) : I get up to support this resolution, and the most important reason for my doing so is that the authority which is responsible for efficient irrigation of an area and is also responsible for any destruction of crops in that area on account of inefficiency of irrigation should not at the same time sit as a judge or authority to say whether the irrigation has been really efficient or not. Justice requires that there should be a third person to decide whether there has been any real destruction of crops on account of lack of water or not. We may give the canal authorities a certain amount of credit for always trying to be fair, but

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after all they are human beings. They would not like to admit their own faults and they would not like to say that they have not been able to irrigate the area under their jurisdiction in the proper way. Therefore in these circumstances it is only fair that there should be a third person to decide such questions which arise between the Irrigation Department and the agriculturists.

It is for the Irrigation Department to see that water reaches the tails. I live in a district which is practically wholly irrigated by canal and there is no other source of water supply. I know that all the villages at the tail are crying for lack of water and I know that several executive engineers have come one after another and they have not been able to do justice to them so far. If by justice we are to mean that only 75 per cent. of their fields are to be brought under cultivation, then justice may have been done but that is not the case. The business of the Irrigation Department is that there should be an equitable distribution of water, and when one village gets copious supply of water while its neighbouring villages are crying for its dearth, that is not equitable distribution of water. In such matters it would be absolutely necessary that some third person should sit as a judge and see that justice has really been done to all the neighbouring chaks.

Then, again, it goes without saying that the canal subordinates and in some cases even officers are not angels. They are sometimes prone to influence and sometimes they succumb to illegal gratifications. They are kind to certain people and some people happen to displease them. Under those circumstances in the matter of supply of water they do favour to certain people while they harm others. After all they are human beings. Therefore they will not be able to judge fairly between the agriculturists and the Irrigation Department. Sometimes the patwaris, zilladars, overseers, deputy collectors, sub-divisional officers and executive engineers become interested parties and it is therefore absolutely necessary that there should be a third person to sit as a judge between them and the agriculturists.

The letter which was just now read by my honourable friend from Lyallpur was also read before the Canal Standing Sub-committee in the presence of the Chief Engineer and perhaps other officials too. The mere fact that those officers have not made any enquiries about the correctness of that letter the mere fact that those officers are not in a position to say that that letter is entirely wrong makes me believe that every word in that letter is correct. (Hear, hear).

The Honourable Captain Sardar Sir Sikander Hyat Khan : What is wrong with that letter? There is nothing objectionable in it.

Sardar Sampuran Singh : If there is nothing objectionable in it, then there should not have been so much interruption from the other side.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I think I was perfectly justified in asking for an assurance from the honourable member. The honourable member representing Lyallpur Sikhs will remember that he and the honourable member for Lyallpur Muslim constituency made a complaint last year and when an enquiry was started and they were asked to substantiate their allegations they failed to do so.

The honourable member who has just sat down and the gentleman who produced that letter were both responsible for that complaint and I thought it would be as well if they gave an assurance to avoid unnecessary trouble again.

Sardar Sampuran Singh : The letter which was just now read I understood was written by the Executive Engineer, Burala, to the Sub-Divisional Officer, Kanya. I may submit that so far I have never mentioned about that officer in this House and so I could not have been a party to any discussion about that letter or about that officer. (*The Honourable Captain Sardar Sir Sikander Hyat Khan :* I am not referring to this officer or the letter, I am talking of the incident which happened last year). But I may submit one thing which has come to my knowledge about that very division, that a certain zilladar received about 4,000 applications for *kharaba*, but being a lazy man he did not inspect even ten per cent. of the fields. Another zilladar, a very energetic man received about the same number of applications about *kharaba* and saw a very great number of fields and consequently gave more *kharaba* than the other officer. But the promotion of the officer who did very energetic work and went all over his section during all those hot months was stopped, while that officer who never went out and never saw the fields and consequently did not give any *kharaba* got his promotion all right. (*Interruption*). We live in those parts and we make enquiries about things and we do not say these things unless we ascertain and make sure about the correctness of these things.

This House will remember that last year we also raised this point that a lot of corruption was going on in the Lyallpur division. (*The Honourable Revenue Member :* and when asked to help in the enquiry failed to do so.)

Mr. President : The question under discussion is whether the *kharaba* should be transferred from the canal authorities to the revenue authorities.

Sardar Sampuran Singh : I was only giving an instance to substantiate my point. In the Lyallpur division several people from a certain area came to me and complained that they were not given *kharaba* while those who did not suffer any loss on account of hailstorm were given because they happened to please certain officers. I could not help them. The only course I could take was to request an officer of the agricultural department to come and see how much loss the people had suffered. He agreed to do so and went over the fields and came back and gave a certificate that he had visited those fields and that he could as an agricultural officer say that really those people could not get two annas in the rupee from those fields. On the strength of this certificate those few fields which were perhaps 7 or 8 in one village got *kharaba*. All the other people who could not take that officer to their fields could not get any *kharaba*. During a certain social function where several irrigation and agricultural department officers had come, I happened to hear the irrigation officers requesting the agricultural officers not to interfere with their work and not to give certificates of that kind. Thus they were placing restrictions on our getting reliable evidence. After all Government is entitled to revenue only if the agriculturists get something out of their lands. It is not a question of rules. I consider it more a question of evidence. Therefore in the face of these facts we are

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led to the conclusion that the irrigation officers are not sitting as judges, but as parties to the *kharaba* question. Therefore I would submit with all the emphasis at my command that it is absolutely necessary that the question of *kharaba* should be taken away from the irrigation officers. If the revenue officers are hardworked, then this work may be transferred to a third party which the Government may create. But the officers who are responsible for the distribution of water and who are responsible for the efficient irrigation of the fields should not sit as judges and decide whether they have properly distributed water or not; and consequently they should not decide whether *kharaba* should be given or not.

The Honourable Captain Sardar Sir Sikander Hyat Khan: I do not know whether the honourable mover of the resolution would like to press it to vote or would like to withdraw it eventually. Upon that depends whether I should make a speech or not. If he does not wish to press the resolution I would be very brief.

Mr. President: Does the honourable mover of the resolution wish to press the resolution to vote?

Khan Haibat Khan Dahi (Urdu): Sir, I would like to press my resolution. When this resolution was discussed last time the Honourable Revenue Member gave us an assurance that the matter would be put before the Canal Committee. But since then nothing effective has been done in this respect. So I intend to press my resolution and commend it for the acceptance of this House.

The Honourable Captain Sardar Sir Sikander Hyat Khan: I merely wanted to ascertain before making my speech whether the honourable member was willing to withdraw his resolution.

Khan Haibat Khan Dahi (Multan East, Muhammadan, Rural) (Urdu): Sir, when this resolution was discussed last time in this Council the Financial Commissioner had observed that since the revenue patwaris had already a lot of work to do and various duties to attend to, it was not advisable to saddle them with this new responsibility of preparing *kharaba* accounts. But I want to submit in this respect that as these patwaris have to do girdawari work and sundry other duties pertaining to the lands of the agriculturists, it would not be too much to ask them to do a little more in this direction. The Government should bear in mind that after all this is a very justifiable and long-standing grievance of the zamindars, and now the time has come when immediate efforts should be made to redress it. It was further pointed out by the Financial Commissioner that the revenue patwaris have to prepare electoral rolls for the municipal committees and their help is required in elections of district boards and municipal committees besides their special official work and therefore they cannot be asked to take up this extra work. But I want most respectfully to urge that the granting of *kharaba* is also very important work and on it depends the peace and prosperity of the zamindars of this province. The Government, therefore, should not raise such flimsy objections and should leave no stone unturned in order to make such arrangements as to ensure the granting of right measure of *kharaba* to the zamindars. If the Government are of the

opinion that there is not a sufficient number of revenue patwaris in the Revenue Department and therefore men cannot be found to do the work of preparing *khara*ba accounts, then they should increase the staff of that department and effect a proportionate retrenchment in the establishment of the Canal Department. But in no case should the grievance of the zamindar be allowed to remain. The Financial Commissioner further added that the revenue patwaris also make wrong entries and do so while sitting in their patwarkhanas. Besides, he said that a comparison between the records of the canal patwaris and revenue patwaris showed that the entries of the latter were wrong. It is just possible that some of the revenue patwaris may be neglecting their duties in this manner but I am quite sure that on the whole they are a set of honest workers and more reliable than the unsympathetic and unscrupulous canal patwaris. They are responsible for their reports and they are afraid of incurring the displeasure of their officers. If enquiries are made you will find that the canal patwaris generally make ruthlessly incorrect statements about the crops and they are notorious for that. The learned Chief Secretary also told the House, that an experiment of transferring these powers to the revenue patwaris was made on the Western Jumna Canal and it proved a failure. But the causes of that failure are not far to seek. The revenue patwaris were not given full powers. The work was partially left with the canal patwaris. So the revenue patwaris thought naturally that the canal patwaris were more responsible for a bad state of affairs and they neglected their duties. But if the work of preparing *khara*ba is entirely put into their hands good results are sure to follow. Moreover, the Canal Department had opposed this transfer of powers tooth and nail and they did all in their power to make the arrangement a failure. Here I would like to ask the Government a question which suggests itself to me after hearing so much praise of the canal patwaris from the lips of the high Government officers. Will the Government please state what on earth is the use of retaining the revenue patwaris in the government service if every work can be safely entrusted to the "efficient" and "able" canal patwaris? One more objection has been raised to my proposal and that is this: It is thought that the deputy commissioners have already their hands full of work and they cannot be asked to accept this additional responsibility. But this also is not a very convincing argument. It is a matter of common knowledge that most of the *khara*ba work is done by the zilladars and only appeals against their orders are heard by the sub-divisional officer. In the same manner if the proposed transfer of powers is agreed to, the work now done by the zilladars will be done by the naib-tahsildars and tahsildars and only disputable matters will be referred to the deputy commissioners and in most of the cases this work can also be entrusted to the tahsildars. The only work that will remain to be done by the deputy commissioner would be to supervise the work of the naib-tahsildars and tahsildars and this will not cause him much inconvenience. The Financial Commissioner further observed that the sum and substance of my speech was that the canal officers take immediate steps to verify the complaints of the zamindars and they lose no time in going personally to inspect their crops. But he does not seem to have understood me aright. What I wanted to convey was that the canal officials never pay heed to the complaints of the zamindars and they utterly neglect their duties. The Chief Engineer said in the last debate that the right measure of *khara*ba is certainly allowed to the big

[Khan Haibat Khan Dahi.]

zamindars and the poor zamindars generally do not benefit by such concessions. The least I can say about this statement is that it is far from being true. The big zamindars never care much for the grant of *kharaba* because their lands generally are tilled by tenants and supervised by their agents and they have no direct interest in the whole affair. It is, on the other hand, the poor zamindar who always clamours for a due share of *kharaba* and indeed he needs it very badly. The learned Chief Engineer further suggested that the Agricultural Department is much more versed in the agricultural work than the Revenue Department and therefore this work can be more safely entrusted to the officials of that department. My submission is this that the interests of the zamindars are not safe in the hands of the canal officials and therefore the powers of granting *kharaba* should be taken from them. As to the transfer of these powers to some other department, I may make it clear that I have no particular preference for any other department. My only wish is that these powers be taken from the canal department and handed over to another department. Now the Government can judge for themselves as to which department would be the best to wield these powers. My only complaint is this that the duty of water supply is entrusted to the canal department and the work of granting *kharaba* is also put in their hands. This is not fair as far as the interests of the zamindars are concerned. I am really at a loss to understand why the Canal Department is so much against this transfer of powers. Perhaps they think that now the very life of the zamindars is in their hands and so they are strongly averse to giving up these powers. I for one would not suggest that the Government should entrust this work to any private agency or some panchayat. I am proposing the transfer of these powers to another Government department and the Government should feel no hesitation in acceding to my request. With these words, Sir, I commend my resolution for the acceptance of this honourable House.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) : Sir, I will try to be brief. The honourable member who has moved this resolution has merely repeated what he said in his previous speech during the last session of the Council. I have not been able to gather why honourable members are so anxious to get the revenue patwari to do the work which is now being done by the canal patwari. Is it because they consider the revenue patwari to be more sympathetic ; or is this desire for a change actuated by the feeling that he is more amenable to the influence of the bigger zamindar ? You must have noticed, Sir, that neither in the speeches to-day nor on the previous occasion did any of the speakers mention the real object of this resolution. I believe the object of the mover and his friends in asking that *kharaba* should be assessed by revenue patwaris is that they expect to get a larger remission under the proposed arrangement. If I am not right, I hope he will contradict me. I believe the main objective is to secure relief in the shape of *kharaba* which they feel they do not get now. If that is the motive, it would have been better for the honourable member to leave the matter to the committee which we have just appointed, to consider ways and means for giving relief to the zamindar if necessary, by readjustment of water rates. The Financial Commissioner when he spoke on this resolution during the last session in Lahore, point-

ed out the practical difficulties in giving effect to the proposal if it was accepted. To-day the Chief Secretary has told you the fate of this experiment on the Jumna Canal. The honourable mover of the resolution asserted in his winding up speech that the experiment on the Jumna canal failed merely because the canal authorities opposed it tooth and nail and did everything possible to wreck it. I am not prepared to admit that charge. But assuming for a moment, for the sake of argument, that it is correct, does he not think the same thing might happen again? Would not the canal subordinates be in a position to use the same tactics, which it is alleged they used on the previous occasion? Then, why advocate this round about method for securing the object which the honourable member has in view? Why not approach the problem directly and frankly, and explore the possibility of securing relief through other and more practicable means? He also challenged the statement of the Financial Commissioner that under the arrangement which the honourable mover advocates the big zamindar would benefit at the expense of his less fortunate confrere in the matter of *kharaba*. I do not wish to take up the time of the House by reading the lengthy statements which I have received from the Derajat Circle where *kharaba* is assessed by the Revenue staff, but I may be allowed to quote a few typical instances and figures. I am sure the honourable member will admit after hearing me if he will only condescend to listen to me—that he was not on sure ground when he challenged the statement of the Financial Commissioner. The figures which I am going to quote will conclusively prove the contention of the Financial Commissioner and might incidentally give us a clue to the real reason which is at the back of this resolution. Let us take the Multan Canal Division first. In Kabirwala the percentage of *kharaba* is 33 on all holdings but in the case of one big zamindar alone it is 48 per cent. This gentleman owns 2,477 acres; now if you deduct the amount remitted in his case from the total amount, the percentage of remission in the case of smaller zamindars is reduced to a figure much below the average. Again take another circle, Kukarhatta. There the average is 33 per cent. while one big zamindar alone got 40 per cent. In Vinnoi the average percentage was 32, but one big zamindar—I am purposely not mentioning any names but if the honourable member wants them I can give him the names—got 39 per cent. Then take Ravan where the average percentage is 25 but in the case of several big zamindars it is 35 per cent. In Kuranga the average is 34 per cent. while one big zamindar alone received 54 per cent. In three other sub-divisions the big zamindars received 50, 50 and 48 per cent. whereas the averages are 38, 46 and 28 per cent. These statements have been prepared from the revenue records, and indicate the dangers of a system which gives the bigger zamindar an opportunity of putting pressure on and temptation in the way of the patwari.

Again take the Muzaffargarh figures. The average *kharaba* is 27 per cent. Here the bigger zamindars seem to be comparatively less rapacious as they have been getting only 32, 38 and 44 per cent. (*An honourable member*: What is the size of the holding?) In one case it is 2,888 acres; permissible 720 and irrigated 709 and out of this 709 acres, 290 were remitted, that is to say, 32 per cent.

Khan Bahadur Mian Mushtaq Ahmad Gurmani: The small holder cultivates the land himself; the bigger man has to depend on the tenant who does not work as hard as the owner.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Yes and he can also talk to the patwari. On the Manka Canal in the Dera Ghazi Khan district the figures are astounding. The big landowners have managed to get 64, 76, 75, 71, 80, 78, 68, 72 and 57 per cent.

I trust the House will agree with me, that these facts and figures are sufficiently illuminating to convince any impartial observer that under this system the big zamindar alone stands to benefit and what is worse at the expense of the small holder.

But if, as I have said, the real object of the mover is to secure some relief for the *nehri* zamindars, why not say so frankly? One way of doing this, and which to my mind will result in an equitable distribution of relief to the big and small zamindar alike, would be to do away with *kharaba* altogether and make a proportionate reduction, based on average of *kharaba* remission in the past 4 or 5 years, in water rates. I have, on several occasions, made this suggestion to the Standing Committee on Canals, and in the Council, and have pointed out that this proposal would not only settle the controversy over *kharaba* once for all but would also restrict opportunities of corruption for the patwari and other subordinate officials. But the big zamindars have invariably opposed this suggestion in this House and outside. The interests of the peasant proprietor and the tenant are relegated to the back ground as under the *kharaba* system the big and influential zamindar benefits at their expense. Why not be fair and give up *kharaba* and accept instead an equivalent reduction in *abiana* throughout the province on all canals? I would be prepared to persuade the Government to accept this proposal if the representatives of the zamindars would accept it. But they will not. Whenever I have put forward this proposal it has been strongly opposed by them.

Mr. President : What was the suggestion?

The Honourable Captain Sardar Sir Sikander Hyat Khan : That there should be a reduction in *abiana* based on the average of remission during the previous 3 or 4 years and there should be no *kharaba*.

Mian Nurullah : I accepted it in the Standing Committee on the condition that *abiana* is reduced.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Practically every one of the local advisory committees in the province turned down the proposal. It was referred to the local advisory committees at the suggestion of the Standing Committee on Canals but every one of them opposed it. In the circumstances I do not think that the honourable member can reasonably expect me to accept his resolution (*Cheers*).

Mr. President : The question is—

This Council recommends to Government that the powers of the canal authorities regarding the grant of *Kharaba* be taken from them and transferred to revenue authorities on all the canals in the Punjab.

(*Mr. President collected Ayes and Noes and declared that Noes had it, but his decision was challenged and a division was called.*)

Khan Bahadur Sardar Habib Ullah : Is the bell ringing?

Mr. President : No. The Secretary has just gone out to make enquiries. (*Secretary returned*). He says that it was in working order yesterday and he tested it himself but to-day unexpectedly it has gone out of order.

Khan Bahadur Sardar Habib Ullah : How do you propose to take votes.

Mr. President : The object of ringing the bell is to inform the members that a division has been called for. If the House is satisfied that all members present are in the House, we may proceed with the division. (*Voices of "no"*) If the House wishes that I should proceed to take the division I shall have no objection. (*Voices from official benches : Yes*).

What does this side (opposition benches) of the House say ? Shall I proceed to take votes ?

(*Nobody dissenting Mr. President took votes by requesting the members to stand in their places instead of going into the lobbies.*)

The Council divided : Ayes 31, Noes 26.

AYES.

Diwan Bahadur Raja Narendra Nath.

Chaudhri Nathwa Singh.

Lala Bhagat Ram.

Lala Nihal Chand, Aggarwal.

Lala Gopal Das.

Rai Sahib Chaudhri Kesar Singh.

Lala Ramji Dass.

Thakur Pancham Chand.

Kanwar Mamraj Singh, Chohan.

Chaudhri Allah Dad Khan.

Khan Haibat Khan, Daba.

Sayad Mubarak Ali Shah.

Khan Bahadur Sardar Habibullah.

Raja Muhammad Sartaraz Ali Khan.

Mian Nurullah.

Pir Akbar Ali.

Chaudhri Riasat Ali.

Makhdumzada Sayad Muhammad

Raza Shah, Gilani.

Shaikh Muhammad Sadiq.

Chaudhri Muhammad Abdul

Rahman Khan.

Chaudhri Ram Sarup.

Sardar Sahib Sardar Ujjal Singh.

Sardar Gurbachan Singh.

Sardar Sampuran Singh.

Sardar Arjan Singh.

Sardar Bahadur Sardar Mohan Singh.

Hony. Lt. Sardar Raghbir Singh.

Sardar Bishan Singh.

2nd-Lt. Sardar Ram Singh.

Guru Jaswant Singh.

Sardar Jawahar Singh, Dhillon.

NOE-

Mr. Miles Irving.

The Honourable Dr. Gokul Chand Narang.

Mr. D. J. Boyd.

Mr. B. M. Staig

Mr. T. B. Tate.

Khan Bahadur Mian Mushtaq Ahmad, Gurmani.

Dr. (Mrs.) M. C. Shave.

The Honourable Malik Sir Firoz Khan Noon.

The Honourable Sardar Sir Jogendra Singh.

Mr. J. E. Parkinson.

Mr. F. H. Puckle.

Mr. F. B. Wace.

Col. D. P. Gail.

Mr. E. Maya Das.

Lala Labh Chand, Mehra.

The Honourable Sir Henry Craik.

The Honourable Captain Sardar Sir

Sikander Hyat Khan.

Mr. C. M. G. Ogilvie.

Mr. C. C. Garbett.

Khan Sahib Shaikh Fazl Ilahi.

Mr. J. D. Anderson.

Mr. Sajan Kumar Chaudhri.

Maulvi Sir Rahim Bakhsh.

Chaudhri Shah Muhammad.

Mr. M. A. Ghani.

Sardar Bahadur Sardar Sheo Narain Singh.

RAILWAY FREIGHTS.

Sayad Mubarak Ali Shah (Jhang, Muhammadan, Rural) (*Urdu*):
Sir, I beg to move:—

This Council recommends to the Government to convey to the Government of India the opinion of this Council that the schedule of railway freights is extremely detrimental to the interests of this province in general and of agriculturists in particular.

Sir, I am fully cognisant of the fact that the subject of railway freights does not fall within the jurisdiction of the Punjab Government and it is rather out of place to present and discuss this resolution in this House. However, I am compelled by the present plight and miserable condition of the people of this province in general and the agricultural class in particular, to put forward this resolution before this honourable House. My object is to urge upon the Punjab Government to recommend to the Government of India, the extreme necessity of substantial reduction in the railway freights at present in force in the railways in this country. So far as I remember, the railway rates originally fixed for carrying goods were such as the goods would bear and that was certainly a very sound principle. These rates were in force during the Great War and even for some years thereafter, but of late they have been enormously increased without keeping that sound principle in view. Consequently these rates have begun to pinch the zamindars very much particularly since the prices of the agricultural produce have unprecedentedly gone down. The sahukars do not dare to buy agricultural commodities because they are afraid that wheat and other agricultural produce would not stand competition at Karachi and Calcutta, with the agricultural produce imported from other countries, such as Australia.

It is the foremost duty of every Government to promote the industries of its country with a view to improve the financial condition of the masses and help them in times of their need. The various Governments have risen to the occasion and afforded substantial relief to the masses since the beginning of this world-wide depression, in different ways suited to the condition of the countries concerned. But in our province which is mainly an agricultural province the Government have not made any serious attempts for effecting any permanent relief to the agricultural classes, except granting remission on a few crops; and even that has not been adequate, and according to the needs of the occasion. The way in which it was effected was so unsuitable that even this remission did not serve its purpose; as on some occasions most of the remitted amount went to the pockets of the petty revenue officials of the village concerned. When the Punjab Government did not do what it could really have done to afford genuine relief to zamindars in connection with the failure of their crops and unprecedented fall in the prices thereof (the land revenue being a provincial subject, hence falls within the power and jurisdiction of the Punjab Government), what to say of relief which are beyond their powers, and which rested with the Government of India; and frankly speaking with what face could the Punjab Government ask the Government of India to agree to its proposals? On the other hand different Governments have risen to the occasion to help their people since the beginning of the present depression and it will not be out of place if I mention what the Australian Government did to help its people out of bad times. There the Government made a considerable reduction in railway

freights and they are losing an amount of money equal to 27 crores of rupees annually on this account. This is one of the several reasons why the Punjab wheat cannot stand competition with the Australian wheat at Karachi and Calcutta. In order to effect this reduction in railway freights the Australian Government effected 25 or 30 per cent. cuts in the salaries of railway employees which still continues, whereas the Government of India has, this year, restored $\frac{1}{2}$ of the 10 per cent. cut which was effected a couple of years back. Since 1925 when the Railway Budget was separated from that of the General Budget of the Government of India and the strict control of the Finance Department over it was relaxed, the railway people became independent and lost touch with the general public, which the executive Government has to maintain with the people. The result was that they increased the railway freight and that accounts for the surplus railway budget, of which on 16th February last the honourable member for Railway and Commerce proudly spoke when presenting his Annual Budget to the Legislative Assembly; while on another occasion during the same session the Honourable the Finance Member congratulated him on the surplus Budget. I do not think that both the Honourable Members had any idea or feeling of sympathy about the condition of the general masses in the country. Had they got that, they surely would not have congratulated each other but would have devised some proper means to relieve the poor masses of their present financial suffering and earned the goodwill of the people at large, like the Australian Government which came to the rescue of its people at the time of their distress and is running the railway at a loss—as I have mentioned before. But there is a great difference between the Government of Australia and its masses and the Government of India and its subjects. The Australian Government, like several other Governments has been sympathetic to its masses, because they are their own countrymen. But here it is just the reverse and our cries for relief have gone in wilderness for we Indians are 'Kala-Men' while the Government here is of 'White-Men'. Why should the Government of India or the Railway Department not utilize their surplus in giving relief to the masses, instead of restoring 5 per cent. reduction this year in the salary of the Government servants, most of which goes into the pockets of either their kith and kin or their agents who help them to rule this unfortunate country? Whatever surplus is left after restoring the 5 per cent. cut is going to be spent on the construction of magnificent saloons for the railway officials and on some palatial buildings for the amusement of the railway high officials.

Sir, I take this opportunity to remind the Government of the services of a class which is hit mostly owing to the general depression and the unbearable railway rates. That is the zamindar class of this province which never failed to help the Government with men and money in times of need and has been a true and loyal support of the Government against their enemies beyond the Indian frontiers and have equally lent their support to discourage the subversive movements directed against the Government within India. But the relief measures adopted by the Government fall much short of their expectations considering their past and even present services. Sir, is this the way in which the Government helps their friends by shutting its eyes and ears to the just demand of their friends? And if the Government do not give some substantial relief to the zamindars in their

[Sayad Mubarak Ali Sh. b.]

time of need, no one would pay heed to the Government in time of their need in future. The Government is losing the faith of their supporters by such an unsympathetic attitude adopted by them towards the zamindars. I say honestly that the zamindars are very hard hit and if the Government do not do anything to relieve them in time, I do not know what would happen, if the zamindar class, out of disgust and their present miseries, take the law into their hands. By saying this I do not mean to bluff or frighten the Government but I deem it my duty—as a well-wisher of the Government and a true representative of the illiterate masses (who have reposed their trust in me by sending me to this Honourable House to express their feelings) to represent their case faithfully and bring to the notice of the Government the real state of affairs in the rural areas; so that the Government may have a clear idea of the actual situation and devise necessary means to cope with the situation to ameliorate the extremely poor financial condition of the zamindars of the province. With these words I commend my resolution for the acceptance of the House.

Mr. President : Resolution moved—

This Council recommends to the Government to convey to the Government of India the opinion of this Council that the schedule of railway freights is extremely detrimental to the interests of this province in general and of agriculturists in particular.

Chaudhri Allah Dad Khan (Ambala division, North-East Muhammadan, Rural) : I rise to support the resolution under discussion. The subject matter of this resolution is next in importance all over the province and to the zamindars in particular to the resolution I was to have moved and which was not moved this afternoon as, I understand, it has been disallowed through the use of extraordinary powers by His Excellency the Governor. This resolution and mine are complimentary to each other and both of them are intended for ameliorating the condition of the Punjab zamindars. I am glad that this resolution has come to-day and I hope that the ground which has been lost by the disallowance of that resolution will be covered partially by this.

The increase of railway rates since 1917 has been almost doubled in many cases. Before 1917 the railway rates on all the staple products of the Punjab that went to Calcutta or Karachi if they are examined will compare very unfavourably with the rates which are now prevailing, so much so that in some cases the rates have increased by 100 per cent. For instance on wheat the rates are 20 per cent. more, and this at a time when the zamindars are in the grip of the greatest trouble they have ever been under during all their life. While all the provinces have suffered from this increase of rates the Punjab has suffered the most. The Punjab, of all the provinces of India, gave the largest number of recruits during the War; out of the lakh or so of recruits, some 60,000 came from the Punjab. The Punjab supplied the largest share of the war loans and other subscriptions raised during the War. The Punjab was the most loyal and the least troublesome and with all this to the credit of the province it is an irony of the times that it should suffer the most at present. The Punjab is mainly an agricultural province. Its wealth consists in the produce of agriculture which is exported to foreign countries through the ports of Calcutta and Karachi;

both of them are at the longest distance from the province. The only province which is farther from these ports than the Punjab is the North-West Frontier Province which exports very little of these commodities. Therefore the Punjab is the only province which has suffered most from this increased rate of railway tariffs. It was the Punjab that had taken the greatest part in the activities which benefited the Government to the highest

5 P.M. extent and it was up to the Government to have thought of the Punjab first and to have lowered the rates. I do not blame the Punjab Government so much for it, for as far as I understand from the many remarks which the Honourable Revenue Member has been making on the floor of this House, the Punjab Government has been urging on the Government of India the necessity of lowering these railway freights, but the Government of India has not considered the claim very sympathetically and this apathy of the Government of India has indeed to be brought home to that Government in order that they may take measures in the matter. Perhaps the Government of India think that much of its income does not come from the zamindars whom these rates affect, but that is a fallacy. It is abundantly clear that all the provincial governments are run with the revenue which is recovered from the zamindars as land revenue or as *abiana*, and the Punjab perhaps is the province which contributes most to the exchequer of the provincial government and the Government of India. Of course the Government of India does not take directly much of these incomes but indirectly the main part of the budget of the Government of India comes from the zamindars, for the railways are mostly patronised by those who carry on the profession of agriculture, and the income-tax which comes from the non-agriculturists is an indirect effect of this. If you just look into the matter, you will observe that the zamindars now come to big towns like Lahore, Amritsar and the like, with depleted purses, say with a few annas in their purse and are not able to make purchases, whereas previously when the rates were high the zamindars had much money, they came with full purses and made big purchases which made the condition of the urban people very prosperous, and the result was that more income-tax went into the coffers of the Government of India. Similarly in other departments of income which make up for the revenue of the Government of India the zamindars have no mean share and it was up to the Government of India to have thought of the zamindars before anything else. When I say the Punjab Government is not to blame for not taking up the case of the zamindars I say it with reservation. The Punjab Government has not pressed with full force the case of the Punjab zamindars and I hope that the discussion which we are now having will give them additional argument for pressing the case of the Punjab peasant to the attention of the Government of India with a view to the rates being lowered.

What an irony of fate ! On the one hand the rates of produce of zamindars have fallen so low, and on the other hand the railway freights have increased. That is a state of affairs which cannot be found in any civilised country of the world. Look at Australia. They have put a premium of 25 per cent. on export, which the zamindar gets at once, and adds to it the 12½ per cent. on account of the exchange ratio; the Punjab zamindar is thus 37½ per cent. poorer in respect of exports from India in comparison

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with the zamindar of Australia. It is very strange indeed that for some six or seven thousand miles that the Australian exports are carried the freights are less than the railway freights on commodities which are carried from the Punjab to Calcutta or Karachi which is only 1,200 miles apart. The zamindars of the Punjab gave their life blood in order to keep the Government of India going, and I do not think the Punjab Government would have been in this flourishing condition had it not been for the fact that the peasant came to its help in the strenuous times. This province has shown great moderation, and least inclination to agitation and trouble which the other provinces have had, and that is due to the fact that the Punjab peasant has been quiet against that sort of anarchy which has been prevailing throughout the country. If the Punjab peasant had not done this, the Government of India would have had more trouble and for that matter the Punjab Government too. All that the Punjab Government have done is to have written one or two letters. That takes away part of the blame from the Punjab Government, but it does not exonerate them. They should have made a tremendous effort because the condition of zamindars is such as calls for immediate action.

Another consideration that is imperative is this. The zamindars are poor and they cannot coin money, they cannot have much of riches at their command. They have sold all their silver and gold in order to pay land revenue to Government. They have nothing left and they simply depend upon the agricultural produce to pay the land revenue. They have to sell it to pay their land revenue, but when they do not have any market, what is the remedy for the Punjab zamindar? The time will come when they will have nothing to pay to the Punjab Government. Thanks to this good harvest which we have just witnessed the land revenue has come in, but I wonder if such crops will continue for ever. The honourable members of this House have from time to time dinned into the ears of the Members of Government that they should be serious about the matter. What is the meaning of the Punjab Government sitting with this apathy at a time when the zamindars are in the grip of this great trouble, when the zamindars have no money to pay the land revenue? They should rise to the occasion and come to their help.

While Australia has lost 27 crores of rupees in two years in railway freights, what has the Government of India lost? There is the reply given by the Government of India. The member congratulates himself on it whereas he should have been sorry. He congratulates himself on the fact that the Indian railway budget shows an income of 3 per cent. on the capital outlay, deducting that money which had been reserved for making up the depreciation fund. It is very strange that while zamindars are dying, here is the Government of India congratulating themselves on the greatest exploitation that they have made of the zamindars, not of all the provinces but mostly of the Punjab. You will find that the Indian Government have earned an income during this critical period amounting to 4 per cent. of the capital outlay, whereas in Australia they have lost 27 crores in two years.

But what purpose has this amount been spent for? The expenditure of railways has been lavishly increased. They have built palatial building

and palatial stations, they have increased the salaries of railway officers, they have doubled the rates that prevailed before the war began and they have increased their expenditure so much so that whereas in 1913-14 their expenditure was about Rs. 9,504 per mile it has risen to Rs. 18,177 per mile in 1929-30. Money has been wasted in this way, and while the zamindars contribute the largest portion of it they have not been thought of even for a single moment. These facts cannot be ignored by a Government which claims to be stable and which claims to be popular. These facts must be taken note of by the Government of India and I hope the Punjab Government will take hold of this opportunity of submitting the considered views of this Council which are expressed on the floor of this House to the Government of India and to say that if these rates are not lowered, then the Punjab Government will become bankrupt sooner or later, and sooner than later, because the whole of the income of the Punjab Government is derived from the zamindars. The land revenue has increased from year to year, so much so that in 1910 in a certain district the rate was about three annas for the land, now it is seven annas and odd. The zamindars were the only people who had to bear the whole expenditure even of the district board. A few years ago the haisiyat tax was introduced—though it has been taken away in many districts—and the zamindars bear the brunt of the expenditure of the district boards alone.

The Honourable Captain Sardar Sir Sikander Hyat Khan : What has this to do with railway freights ?

Chaudhri Allah Dad Khan : I say that the zamindars are already overburdened. Therefore the railway freight should be lowered and this trouble is the last straw which will break the camel's back. Without going into those details the facts of this trouble cannot be made clear. For instance zamindars have a very heavy burden—this is an argument which I take from the report of the Royal Commission on Currency.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Are we discussing the exchange ratio or the railway freights ?

Chaudhri Allah Dad Khan : The railway freight is the last straw which will break the back of the zamindar. This very argument was employed by the Royal Commission on Currency. In addition to that there is that other burden, the exchange ratio. I may illustrate the difficulties of a cultivator by giving an example. Suppose I cultivate a piece of land and that my net income is Rs. 100. Now, I have to pay 50 per cent. of my net income towards land revenue. The land revenue on lands which were settled before 1929 is up to the extent of half the net assets. (*An Honourable Member :* No, nowhere in the Punjab is that the case.) Out of my net proceeds of Rs. 100, fifty rupees are taken away by way of land revenue. Then again, suppose I am not able to sell my crops in the neighbouring markets, I have to transport them to England or Japan or some other country. In selling my crops in foreign markets I have to pay for the exchange which comes to about 12½ per cent. I have to pay another 17 per cent. for district board and lambardari charges. All these charges come to 80 per cent. These railway freights as compared with the rates in 1913 has increased from 20 to 100 per cent. I shall take the mean figure of 50 per cent. and put down 10 per cent. Thus 90 per cent. of my net income is taken away from me.

[Ch. Allah Dad Khan.]

If so much is taken away from a zamindar, how is it possible for him to live on the balance? It is on this account that I want to press the claims of the zamindars upon the Government. If I press the case before the Government, I am sure the Government will pay heed to their difficulties and remedy the situation. It is only the ignorance of the Government about the condition of the zamindars that is responsible for this state of things. It may be suggested that I have overdrawn the picture. But I may submit that the zamindars are not suffering from one disability alone. They are suffering from many other disabilities, reference to which may perhaps be beyond the scope of the resolution before the House. Those disabilities can better be imagined than described. Coming to the question before the House, I must lay the greatest emphasis on this point that the rates which the railways are levying from the zamindars, in other words by which the railway department is exploiting them must not continue any longer. I can understand the Government of India being indifferent over this matter. But what is there to prevent the Punjab Government from taking up the question in greater earnestness and enthusiasm than it has hitherto done? This is the opportunity for the Government to show to the people of the Punjab that it has done its best for them. There is no use saying that whatever has been done up to this time has been its best. No doubt the Government has done something. But if we press the point more and more upon the Government it will certainly do some good to the people. Just see what the Government of Australia has done. Why should not the Punjab Government follow the example of that country? Perhaps it may be argued that the Government of Australia is quite different. But what of that? A Government, whatever its form, must always be just to all people. If I had an opportunity I would have shown how greatly the exchange ratio has affected the poor agriculturists. But leaving that aside, let us at least press the claims of the zamindars for the reduction of railway freights. When we have come for a loaf of bread, let us have at least half a loaf. Let it be not said that we asked for bread and that we got stone. Let this be not done by the Punjab Government. Perhaps the Honourable Revenue Member may say that he has pressed the case to the Government of India and that they are not prepared to do anything for the Punjab. I say, let him press the case with as much earnestness and with as much force as he is capable of. Then, let us see what can be done. With these words I support the resolution under discussion.

Mr. Mukand Lal Puri (Punjab Industries): Sir, this is one of the most important resolutions which have been placed before the House. This proposition is not only to be considered from the point of view of competition with the foreigner, but also from the point of view of the position of this province as compared with other provinces of India. It is the duty of this House to press upon the Government to take every possible step to see that the interest of the Punjab producer and manufacturer is not sacrificed to the interest of the foreigner or of the producer and manufacturer of other provinces. Unfortunately the Punjab Government although it has been doing a lot to help the agriculturists by sending various proposals to the Government of India has not, I must say, taken that interest in this matter which the importance of this question deserves. The point of view which

has been pressed before the Government is that the interests of the Punjab agriculturists must be protected at all costs ; and I heartily endorse that view. Nothing should be done to lay a more heavy burden upon the agriculturists than they are bearing under these abnormal conditions, and if the railway freights are adding an unnecessary burden, it is up to the Government of the Punjab to take up the matter with the Government of India and have the matter set right.

Observations have been made on the floor of the House that lower rates should be charged on every agricultural produce of the Punjab. My submission is that it is not only a question of lowering rates, but it is a question of asking the Government of India to give us differential rates. So far the Punjab has been the chief wheat exporting province and the policy which the Punjab Government and the Punjabis have been pressing upon the Indian Government has been to ask the railways to give them cheaper rates from inland to the port. I think the time has come for a new orientation of policy in this matter. India has ceased to be principally wheat exporting country and that fact must be recognised and must be recognised by the Punjab agriculturists more than by the agriculturists of any other part of India. The Punjab and the United Provinces are the wheat growing areas of India and the Punjab is the larger of them. In fact out of 24 million acres of land which is under cultivation of wheat in India about 10 million acres are in the Punjab. The question of railway freight, therefore, affects the Punjab and the United Provinces more than it affects any other province.

I was submitting that it must be recognised that India owing to world conditions has ceased during the last four years to be a wheat exporting country. Sir, it has not been possible for us to devote that amount of attention to this important question as its importance deserved as we were under the impression that the entire time would be taken up by two other resolutions which had preceded it, but which have not been moved. During the short time that it has been possible to get into the Library of the Legislative Assembly during the luncheon interval, thanks to the courtesy shown by the President, I find that India has definitely ceased to be a wheat exporting country of any consequence and any rates which would help us in our export trade will not meet the exigencies of the situation.

Reading from the annual statement of the seaborne trade of India published by the Government for the year ending 31st March 1932 at page 679 we find that India exported wheat to the countries of the British Empire in the year 1927-28 to the extent of 254,511 tons. In the year 1928-29 the export to countries within the British Empire fell down to 78,577 tons and in the year 1931-32 it fell down to only 18,264 tons. That is, the export to countries within the British Empire has fallen down from 254,511 tons in 1927-28 to the negligible figure of about 18,000 tons in the year 1931-32. With respect to export to other countries, i.e., countries outside the British Empire, the condition is similar. On page 680 of the same book it would appear that the exports to countries outside the British Empire were 45,222 tons in 1927-28 and 36,130 tons in 1928-29 and in 1931-32 they came to a paltry figure of 1,951 tons. Thus if we read the figures of the export trade of India to all the outside world, we find that about 3 lakhs of tons of wheat

[Mr. Mukand Lal Puri.]

was exported in 1927-28, while in 1931-32 it was only 20,215 tons. It has fallen to one-fifth of what it was in 1927-28 and this is due to causes over which we have no control. We have no control either over the five-year plan of Russia nor over the other countries who are taking to wheat growing and subsidising it in various ways. So it must be definitely recognised that the Punjab either should give up growing wheat or should find a market nearer home. I respectfully submit that it is up to the Punjab Government to save the Punjab peasant by finding a market for its wheat and it can easily do this, if the railway comes to our assistance and gives us differential rates—not to the ports which is immaterial at present—but to other provinces in the country, say Madras and Bengal. It is possible that we may be able to induce the Bengalis and the Madrasis to build up better bodies and also better brains by taking Punjab wheat. (*Interruption*). The Honourable the Finance Member has been pleased to remark that they are doing so. I request the Punjab Government to take it up, on propaganda lines. Let there be propaganda in Madras and Bengal and other provinces for Punjab wheat. It is futile for the Punjab to try any measure to make any benefit out of export trade. Why should not the Punjab Government take up the question with the Government of India and press upon them that they should transport our wheat from Lyallpur, Sargodha and other places to Calcutta and Madras at rates which just cover their cost of transmission? If a man has to send wheat from Lyallpur to Amritsar, let it be charged at the normal rate, but when it has to be sent to another place, it should be charged at a specially reduced rate. When the question is of establishing a national industry the State railways should be liberal. And is it not the duty of the Punjab Government to place our case most forcibly before the Government of India and see that our staple industry is not ruined? And if they point out to the Government that the persons who are recruited into the army are the persons who are cultivating wheat, the Indian Government would not be unsympathetic. I say that in the case of the agricultural produce of the Punjab there has been a new orientation of policy and we have now reached a stage when the staple products of this province, cotton and wheat would not be touched for some years to come by any outside country. I need not go into the question of cotton. It was the subject of another resolution which has been tabled but which was not moved. But the only remedy, I submit again, for the cotton growers also of the Punjab is not to hope that Japan would continue to buy but to establish a market for them at their very door by establishing textile factories in the Punjab.

Mr. President : We are concerned with the railway freight and not with the growth of cotton.

Mr. Mukand Lal Puri : I am coming to the railway freights. I will not deal with cotton, Sir, any more in deference to your wishes, and I have made my submission with respect to wheat grower. Let me now take up the case of another class, who is an equal sufferer. I find that the railway freights in India affect the Punjab manufacturer very seriously and it is due to the lack of initiative on the part of the manufacturer and lack of any distinct help on the part of the Punjab Government that he is mainly suffering.

The Punjab manufacturer is being placed at a disadvantage not only in respect to the foreigner but also in respect of the manufacturers in other provinces and I take this opportunity to mention just a few points which have been recently brought to my notice. The policy of the Railway Board or the policy of the Railway Department has all along been to favour imports going from ports to the interior so far as the manufactured articles are concerned and to favour the export of raw materials from the interior to the ports. That had been for a very long time the policy of the Railway Department. But since the coming of the Reforms and due to the incessant pressure of the Assembly, the Railway Board has more and more yielded to public opinion and it now professes to help local manufacturers and I must say that the railways have been during the last two years directing their attention to this matter and have afforded relief in certain cases. They have set up a Rates Advisory Committee before which any complaint which any person may have in respect of rates can be taken. But that is a very expensive procedure and it is not always possible for an individual manufacturer to make out a case. The Punjab industry in this matter has suffered from lack of concerted action. To give only a few instances of the manner in which Punjab industry has been adversely affected by these tariff rates. The freight on raw rubber coming from Calcutta to Sialkot is more than that on the manufactured rubber goods sent from Calcutta to Sialkot. Everybody knows that there is a flourishing—at any rate it used to be flourishing—sports industry at Sialkot and rubber is a raw material for a part of that industry. It is very unfair that the freight on the raw material should be more than that on the manufactured rubber goods between Sialkot and Calcutta. This differentiation is a definite set back to the industry. Why should the Punjab Government not take up this question and protect one of its industries? Again it has been pointed out to me that the freight on imported steel and iron goods from Karachi to Lahore is less than on similar goods from the Tatas at Jamshedpur to Lahore or any other intervening station. Then again the railway freights have been increased by the East Indian Railway on the Punjab flour and the freights on wheat has been reduced. I do not complain that the freight on wheat has been reduced. But if we want to establish a mill industry in the Punjab, the Punjab Government should direct its attention to the matter and see that the freight on flour is always an anna or two less than the freight for wheat for the same distance. I do not say that the freight on wheat should be increased. But suppose the freight on wheat is eight annas the freight on flour for the same distance should be six annas and it is within my knowledge that people who have invested millions on the milling industry in the Punjab are feeling the pinch of this unfair differentiation in freight which is practically killing the industry which affords employment to hundreds of people in this province. I think this is a matter in which the Punjab Government ought to interest themselves, even against the milling industry of the United Provinces and other provinces. The resolution says that a representation should be made to the Indian Government. My own opinion is that mere representation or the forwarding of the debate with a covering letter is not what is really wanted. What is really wanted is a standing committee consisting of one or two officials of this province whose business it should be to collect information on this point, to examine producers and manufacturers and find out whether the complaints which people make are genuine and sustainable and

[Mr. Mukand Lal Puri.]

if the grievances are real then it should be the duty of the Punjab Government to see that the railways do justice to the people of the Punjab. I would suggest a committee say of the Director of Industries, Director of Agriculture and the Financial Commissioner, Development, whom it should be possible for any person to approach and put forward his grievance. The committee consisting of such officials, or of any other persons whom the Government may appoint should go into these grievances and if they find that the grievances are genuine and that the Punjab producer or manufacturer is really suffering, they should report to the Punjab Government who should then take up the question and see that justice is done.

It is not merely a question of making representation. The Punjab Government may in some cases if it finds that its vital interests are being affected may retaliate. After all with the coming provincial autonomy the interests of the Punjab producers and manufacturers should be placed above everything else.

The Honourable Sir Henry Craik : How can they retaliate ?

Mr. Mukand Lal Puri : The Punjab Government can retaliate in more than one way. I will tell in a very gentle manner of retaliation and that is this, that the Finance Member should send a confidential letter to the Government of India that the loyalty of the Indian troops cannot be guaranteed if the economic distress from which they are suffering is not relieved by measures such as those suggested by the Punjab Government. It would be a very gentle way of retaliation.

The Honourable Sir Henry Craik : It is not retaliation.

Mr. Mukand Lal Puri : I am sorry for using that word. The Punjab Government should take all those steps which although they fall short of retaliation would be much more effective than retaliation by foreign countries. If the Punjab Government really made up their mind that the Punjab producer and manufacturer has to be protected I am quite sure that he will be protected. The Government of India now listens to representations from other provinces much more than it listens to the representations from our province, because other Governments press their cases more vigorously and do not content themselves by merely forwarding debates, and also because the Governments are backed up by public opinion. The Punjab officials, I do not wish to make any accusation, do not take that interest in these economic matters as they take in some other matters and it is time that the Punjab Government showed the same enthusiasm in this matter as in some others. Therefore, Sir, I close these remarks again requesting the Punjab Government to set up a provincial committee, a small committee, which should be open to everybody, which should not require the presentation of petitions at any expense and which should be easily accessible to the producers and manufacturers of the province. This committee should report to the Punjab Government from time to time and the Punjab Government should then press our claims upon the Government of India vigorously and I have not the slightest doubt that they will be able to secure from the railways much better terms.

Chaudhri Shah Muhammad (Sheikhupura, Muhammadan, Rural) (Urdu): Sir, much has been said on the resolution now before the House. It is not within the power of the Punjab Government to touch the subject of railway freight because the railways are not under its control. Therefore, to make speeches on this subject or to express one's ideas with regard to it will be quite useless and would serve no purpose whatsoever. The honourable member for industries has placed a good deal of information before the House and this information can be beneficially utilised for the advantage of the zamindars. I quite agree with the honourable members when they say that the zamindars are loyal and faithful to the Government and, therefore, the Government should see its way to give relief to them in every possible way. But so far as the suggestions that have been made by the honourable members in their speeches go, they are ordinary and we cannot hope to ameliorate the condition of the zamindars by carrying them out in practice. So far no practical and constructive proposal has been made with regard to this subject, therefore, we cannot expect the Government to do anything substantial for the zamindars. The subject of this resolution is very important but it has been very briefly worded. The question of freight is not a new one and it has not been brought forward before this Council for the first time in its present form. The railway authorities are themselves confounded over the question of freight. Since the last few years a competition has been started between the railways and lorry service nearly throughout the Punjab. The railway authorities in order to draw passengers have to reduce their fares and notwithstanding the fact that the railway authorities have reduced their fares the lorries have to some extent crippled their revenue. People have taken to travel by lorries and thus the income of the Railway Department has decreased. Still they are not willing to give any concession as regards freight. They do not agree to minimise their rates in order to encourage people to send their grains to the ports or to some other parts of the country.

Then, again, so far as freight is concerned, even if the railway authorities were willing to grant concession, this would not be a substantial relief to the zamindars. What we need is to industrialise the province. Bombay took an initiative in this direction and has actually succeeded in industrialising itself. If the Punjab Government also follows its example there is every hope of success being attained so far as the development of industries is concerned. We cannot get rid of poverty so long as the province is not industrialised.

It would be very helpful for the zamindars if a standing committee is appointed to find out ways how to dispose of our products. This committee should also be required to find out some markets for our grains. So long as a market is not found for our grains the concession in freight will be of no use. Our province produces oilseeds in a large quantity. If our Government enters into a contract with the Bengal Government to purchase oilseeds from us it would prove very beneficial. Similarly sugarcane can also be sent to the provinces where it does not grow. Then again, Sir, we can sell our products to the central Asia. We can send our wheat and other grains to the central Asia by lorries. If the Government appoints an experienced officer and also gives him an assistant having a good deal of travelling experience he can make enquiries as to the places which could be turned

[Ch. Shah Muhammad.]

into good markets in the neighbouring countries. Central Asia and Persia can easily become good markets for our land produce. Wheat does not grow in Persia and as regards central Asia there is only a small area which grows wheat. This area is not more than 71,000 acres. So long as we do not find consumers for our products we cannot hope to help our zamindars. For those products which can be consumed in this very country the Government of India should be approached to take steps to reduce the freight. We should first make enquiries as to which of our products can be sold to other provinces and then make a reasonable request to the Government of India to see their way to accede to our request. Now if we approach the Government of India as is suggested in this resolution it is natural that they would enquire the circumstances which have necessitated this reduction in freight. Therefore, we should make all enquiries beforehand to be able to satisfy the Government of India that our request is reasonable. Moreover this will save a good deal of time. Our request should be very reasonable and logical so that there may be left no scope for the Government of India to object to it. With these words Sir, I lend my whole hearted support to the resolution under consideration.

Shaikh Muhammad Sadiq (Amritsar City, Muhammadan, Urban): Sir, the prosperity of the Punjab depends upon the export of wheat and cotton. Unless we can export wheat and cotton Punjab cannot be prosperous. We may have millions of tons of cotton or sugar but unless we can export these goods, how can we have prosperity in this country? Thirty years back Punjab was the chief exporting centre of the world in wheat but since then many a country has come into the field, notably Russia, Australia and Canada. This problem is all the more important. Year after year we find that we are buying millions worth of goods from outside; therefore unless we can sell our produce the Punjab must collapse. Unless you sell your goods, how can you go on buying? This policy of railway is strangling our industry and has proved very dangerous to the Punjab peasant. I am a member of the Railway Advisory Board; I know some of the difficulties of the railway. Outside pressure on the railway is such that they have not been able to frame a policy which may be beneficial to anybody at all. They are absolutely helpless. There are so many authorities over them that they really cannot consider any policy unless the greatest amount of pressure is put on them. They complain that they get only 3 per cent. profits from the railway which is not much. I know something about Australia. I know they have suffered a loss of 27 crores, but it is impossible after all for Australia to pay all this. After all, nobody is going to pay them from outside. We want the railways to be profitable, but they should arrange their rates in such a manner that it should be helpful to the people of the country. The railway authorities have mixed up two things. I may be going astray but it will be only for a moment; but I should like to say that the railway authorities are not getting 3 per cent. but in reality they are getting more than three per cent., as much as 7 per cent. profit which is the highest amount of profit which any country is getting. They have built hundreds of miles of strategic railways. They are mixing them with the commercial railways. What is the use of these railways to the people of India? The lines from Peshawar to Kyber pass

and from Quetta to Nushki and Duzdap and the line from Kotri to Quetta. are all strategic railways and their expenses are tremendous and that is the reason why they cannot make more than three per cent. profit.

If they separate strategic railways from the commercial railways their profit will go as high as 6 per cent. These railways carry only one or two passengers and are used only for military purposes. If they follow the policy of separating the two systems the profits would go to more than 6 per cent. The Bengal and North-Western Railway which runs from the North of the United Provinces to Bengal and is a private concern is showing a profit of 18 per cent. even in these days of stringency. Surely conditions in the Punjab and other portions of India are not different and are not so bad. They show this high percentage of profits, why? Only because their expenses are very low. They pay their staff just sufficiently consonant with the standards of the country. I want the Government of India if they want this country to flourish, if they want that there should be peace and quiet in this country, to have a resolute policy of finance, a policy which would be beneficial to the country, and that can only be done by reducing the freight. You will find that acres after acres of land will be brought under cultivation as soon as the producer finds that he can send his produce outside. What is the incentive to the peasant to grow wheat and sell it at Rs. 1-4-0 a maund while he has to pay 6 annas or 4 annas to bring it to the market?

At this stage the Council adjourned till 9-30 A.M. on Friday, 28th July 1933.

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PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Friday, 28th July 1933.

THE Council met at the Assembly Chamber, Simla, at 9.30 A.M. of the clock. Mr. President in the chair.

OATH OF OFFICE.

The following member was sworn in :—

Major R. C. Malhotra.

STARRED QUESTIONS AND ANSWERS.

SUPERSEDED LOCAL BODIES.

***2524. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Local Self-Government kindly state the number and names of the local bodies which have been superseded by the Government during the term of his office ?

The Honourable Dr. Gokul Chand Narang : The following Municipal Committees have been superseded and Town Committees superseded by the Government :—

Municipal Committees.

- | | | |
|---------------------|----|-----------------------------|
| (1) Jhajjar | .. | .. (Rohtak District). |
| (2) Raikot | .. | .. (Ludhiana District). |
| (3) Pind Dadan Khan | .. | .. (Jhelum District). |
| (4) Hansi | .. | .. (Hissar District). |
| (5) Karor | .. | .. (Muzaffargarh District). |

Of these Jhajjar and Raikot Committees have since been reconstituted.

Town Committees.

- | | | |
|-------------------|----|-----------------------------|
| (1) Niaz Beg | .. | .. (Lahore District). |
| (2) Jaijon | .. | .. (Hoshiarpur District). |
| (3) Miani | .. | .. (Hoshiarpur District). |
| (4) Anandpur | .. | .. (Hoshiarpur District). |
| (5) Jatoi | .. | .. (Muzaffargarh District). |
| (6) Garh Maharaja | .. | .. (Jhang District). |
| (7) Ladwa | .. | .. (Karnal District). |

Town Committee of Daulatnagar (Gujrat District) has been abolished.

Mr. Mukand Lal Puri : What were the reasons for the supersession of these local bodies ?

The Honourable Dr. Gokul Chand Narang : Gross inefficiency and financial bankruptcy.

Mr. Mukand Lal Puri : Has there been any improvement in the administration of these local bodies after their supersession ?

The Honourable Dr. Gokul Chand Narang : Immense improvement.

Mr. Owen Roberts : Will Government give an undertaking that in all cases of gross inefficiency they will proceed in the same way ?

The Honourable Dr. Gokul Chand Narang : That will depend upon the circumstances.

Mr. Mukand Lal Puri : Why have Jhajjar and Raikot been reconstituted ?

The Honourable Dr. Gokul Chand Narang : The administration of these committees was entrusted to Government officers and during their administration both the committees have undergone very considerable improvement and it was then considered proper that another chance might be given to the townspeople.

NOMINATION TO LOCAL BODIES.

***2525. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Local Self-Government kindly state the number and names of the local bodies in which the Government has either increased or decreased the nominated element ?

The Honourable Dr. Gokul Chand Narang : I regret that it has not been possible to collect the information since the honourable member has not stated the period over which he requires it.

ADMISSIONS TO AGRICULTURAL COLLEGE AND VETERINARY COLLEGE.

***2526. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state the number of applications for admission to the Agricultural College at Lyallpur and the Veterinary College at Lahore, respectively, in 1925 and at the last admission ?

The Honourable Sardar Sir Jogendra Singh : A statement is laid upon the table.

Statement.

	Number of applicants in 1925.	Number of applicants in 1932.
Veterinary College, Lahore ..	153	19
Agricultural College, Lyallpur ..	140	76

ADMISSION TO VETERINARY COLLEGE.

***2527. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly state the number of Hindus, Muslims and Sikhs admitted to the Veterinary College at Lahore in 1931 and 1932 and the number of statutory agriculturists under each group?

The Honourable Sardar Sir Jogendra Singh : A statement is laid upon the table.

Statement.

	HINDUS.		MUSLIMS.		SIKHS.		Total.
	Agri-cul-turist.	Non-agricul-turist.	Agri-cul-turist.	Non-agricul-turist.	Agri-cul-turist.	Non-agricul-turist.	
1931	1	8	5	3	2	1	20
1932	1	5	3	..	1	..	10

RETRENCHMENT OF AGRICULTURAL ASSISTANTS.

***2528. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Agriculture kindly lay on the table of the House a list showing—

- (a) the number of agricultural assistants of either class who were discharged in 1931 and 1932 ;
- (b) the number of Hindus, Muslims and Sikhs among the persons referred to in (a) and the number of statutory agriculturists under each group ?

The Honourable Sardar Sir Jogendra Singh : A statement is laid on the table.

Statement.

		1931.	1932.
(a)	'A' Class	8	34
	'B' Class	1	6

		1931.			1932.		
		Hindus.	Muslims.	Sikhs.	Hindus.	Muslims.	Sikhs.
'A' Class ..	Total number ..	3	..	5	7	9	17
	Statutory agriculturists	2	..	5	2	9	15
'B' Class ..	Total number ..	1	..	..	2	4	..
	Statutory agriculturists	..	..	..	2	4	..

RECRUITMENT OF CONSTABLES.

***2529. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) the number of constables recruited in the Eastern Range in 1932 ;
- (b) how many of the recruits referred to in (a) were Jats from the Rohtak district and how many Gaur Brahmans and Rajputs from the same district ;
- (c) the proportion of Jats, Gaur Brahmans and Rajputs, respectively, in the population of the Rohtak district ?

The Honourable Sir Henry Craik : The required information is being collected and will be supplied to the honourable member when ready.

CANDIDATES FOR ASSISTANT SUB-INSPECTORSHIP OF POLICE.

***2530. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

- (a) the number of candidates selected for training as assistant sub-inspectors of police in 1931, 1932 and 1933, respectively ;
- (b) the number of Hindus, Muslims and Sikhs among the candidates referred to in (a) and the number of statutory agriculturists under each group ;
- (c) whether among the Hindu candidates selected there were any Jats from any of the districts of the Ambala division ?

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

Statement.

(a) NUMBER OF CANDIDATES SELECTED FOR TRAINING AS ASSISTANT SUB- INSPECTOR OF POLICE IN THE LAST 3 YEARS.			(b) (i) NUMBER OF HINDUS, MUSLIMS, AND SIKHS AMONG THE CANDIDATES REFERRED TO IN (a).			(b) (ii) NUMBER OF STATUTORY AGRICULTURISTS.			(c) Number of Jats among the Hindu candidates selected from any of the dis- tricts of Ambala Division.
1931.	1932.	1933.	Hindus.	Muslims.	Sikhs.	Hindus.	Muslims.	Sikhs.	
29	1	20	11	30	9	3	21	8	1 Hindu Jat of Kar- nal District.

ABSCONDERS IN ROHTAK AND HISSAR DISTRICTS.

***2531. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state the number of absconders in murder cases in the Rohtak and Hissar districts, respectively ?

The Honourable Sir Henry Craik : The number of absconders in murder cases in the Rohtak and Hissar districts is 19 and 18, respectively.

ABSCONDERS IN ROHTAK AND HISSAR DISTRICTS.

***2532. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state whether the Police of the districts of Rohtak and Hissar have been able to capture any of the absconders in murder cases in 1932 and 1933 ?

The Honourable Sir Henry Craik : The Rohtak Police arrested 11 absconders in murder cases during 1932 and 1933. Nineteen such absconders are still at large. Proceedings under Sections 87 and 88 have been taken against them.

There were 88 absconders in murder cases in the Hissar district, out of whom Hissar Police arrested 11 during 1932 and 9 in 1933.

SELECTION OF SUB-JUDGES.

***2533. Rao Bahadur Chaudhri Chhotu Ram :** Will the Chief Secretary kindly state—

- (a) the number of sub-judges selected in the beginning of 1933 as a result of a semi-competitive test held in 1932 ;
- (b) whether any, and if so how many, of the candidates selected are related to judicial officers ;
- (c) whether any of the candidates selected belonged to the ministerial staff of the High Court ;
- (d) whether in addition to the candidates selected as belonging to either of the two classes referred to in (b) and (c) there was any candidate who was selected as a result of "sheer merit" and was related to a judicial officer or belonged to the ministerial staff of the High Court ;
- (e) the exact position in the list of successful candidates obtained as a result of the semi-competitive test by each of the candidates actually selected ;
- (f) the position of the candidates referred to in (b) and (c) ;
- (g) whether any statutory Hindu agriculturist happened to be included among those selected ;
- (h) whether any statutory Hindu agriculturist was on the list of successful candidates, and if so, what was his exact position ;
- (j) if the answer to (h) is in the affirmative, whether that candidate was recommended by the High Court ;
- (k) if the answer to (j) is in the negative, whether the Government suggested to the High Court that that candidate should be recommended ; if so, with what result, and if not, why not ;
- (l) the religion and tribe of each of the candidates referred to in (h) and (e) ;
- (m) how the representation of the tribes of the candidate referred to in (h) compares with the representation of the tribes of the candidates referred to in (b) and (e) in the cadre of sub-judges ?

Mr. C. C. Garbett : (a) Eleven. The test was purely competitive as regards the first two places only. As regards the other places it was selective from among qualified candidates in order to obtain the prescribed proportions of zamindars and non-zamindars and of various communities.

(b) One, who was related to a deceased judicial officer. His father had died in service as a sub-judge on the eve of retirement.

(c) One.

(d) No. Presumably the honourable member means by pure competition.

(e) The term semi-competitive is not exact. Successful candidates were placed as follows :—

1st, 2nd, 6th, 11th, 18th, 21st, 24th, 25th, 28th, 30th and 78th.

(f) 18th and 30th.

(g) No.

(h) 128 candidates passed in the qualifying examination of whom 19, viz., Nos. 5, 12, 16, 19, 33, 35, 37, 40, 41, 44, 46, 60, 67, 70, 72, 77, 101, 112 and 126 were Hindu agriculturists.

(j) and (k) No. The list of recommendations submitted by the High Court conformed exactly with the rules.

(l) Hindu non-zamindars. Their selection was within the fixed proportion of non-zamindars laid down by the rules.

(m) The particulars asked for are not on record and it will serve no useful purpose to collect them as the policy of Government is not to extend communal representation to sub-divisions of communities.

Mian Nurullah : May I ask what are the special qualifications of No. 78, with regard to part (e) of the answer ?

Mr. C. C. Garbett : The best of my recollection is that he was an Anglo-Indian coming on the top of the others.

RECRUITMENT OF MINISTERIAL STAFF OF HIGH COURT.

*2534. **Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Finance kindly state—

(a) whether the ministerial staff of the High Court is recruited as a result of any competitive test, and if not, whether recruitment takes place in pursuance of the recommendations of any Selection Board ;

(b) the monthly bill of salaries earned by agriculturists and non-agriculturists on the ministerial staff of the High Court ;

(c) how many persons related to the retiring Deputy Registrar (Rai Bahadur Nihal Chand) as son, nephew, brother-in-law, or son-in-law are employed in the ministerial establishment of the High Court ;

(d) the educational qualifications of the persons referred to in (c), the date of their first appointment, the post originally held and the salary attached to it, the post held at present and the salary which it carries ?

The Honourable Sir Henry Craik : (a) The recruitment in the general line and Translating Department in the lowest grades is generally made by a competitive examination. Appointments in higher grades are made partly by promotion on the basis of seniority and partly by selection from the lower grades, and partly by nomination from outside.

(b) The monthly bill of salaries as it stood on the 1st July 1938 of the permanent ministerial staff is :—

			Ra.
Agriculturists	..	..	5,165
Non-Agriculturists	..	..	20,616

(c) One son and one nephew.

(d) Both are graduates of the Punjab University and for other information kindly see the statement laid on the table.

Statement.

		Date of 1st appointment.	Post to which originally appointed and salary attached to it.	Post now held and salary attached to it.
Son	..	1st August 1932 ..	Assistant (Rs. 85—10 135/10/285 as reduced by 15 per cent. cut).	Superintendent, 2nd grade (Rs. 212—15—272/20—412 as reduced by 15 per cent. cut).
Nephew	..	12th July 1930 ..	Senior Grade Clerk (Rs. 75—5—100/5—150).	As in the previous column.

REDUCTION OF VERNACULAR TEACHERS.

***2535. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Minister for Education kindly state—

(a) the extent of contraction, if any, which has taken place in each of the districts of the Ambala division in 1931 and 1932 in the number of students reading in (a) the lower primary, (b) upper primary, (c) lower middle and (d) upper middle departments ;

(b) the number of vernacular teachers discharged in the Rohtak district in 1931 and 1932 ;

(c) the number of Jats, Gaur Brahmans, Mahajans and Muslims among the teachers discharged and the proportion which these classes have in the total number of vernacular teachers as also their proportion in the population ?

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

Mr. Mukand Lal Puri : Will that information be given to the honourable member on the floor of the House so that supplementary questions could be put on the answer given ?

The Honourable Malik Sir Firoz Khan Noon : I have not supplied the honourable member with the information. I said that the required information was being collected and will be supplied to the honourable member when ready.

Mr. Mukand Lal Puri : In the House ?

The Honourable Malik Sir Firoz Khan Noon : No. It is bound to go into the proceedings of the House.

Mr. Mukand Lal Puri : When a question is put, the right of the other members of the Council to put supplementary questions should not be taken away by the Honourable Government Member forwarding that answer privately to the house address of the member interpellating.

The Honourable Malik Sir Firoz Khan Noon : You will tell us what is the procedure. I am willing to act accordingly.

The Honourable Dr. Gokul Chand Narang : This question has been raised more than once and I think it is better to have some light from you.

Mr. President : When an answer to a question is not ready on the day on which it is to be answered, its answer, when ready, is printed in the official proceedings, but if the honourable member in whose name the question stands, wishes it to be answered orally he may signify his desire to that effect to the Secretary of the Council, and the question will be again placed on the agenda.

There is one other point. I find that some honourable members of Government in answer to more than one question say that the answer is laid on the table. When members have given notice of questions to be answered orally, only in the case of questions the answers to which are of excessive length it can be said that the answer will be laid on the table. Otherwise, as a rule, answers should be given orally so that members may put supplementary questions.

FAMINE WORKS.

***2536. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state whether the Government is or is not prepared to revise the present rule which excludes works of permanent value, such as metalled roads, canals, buildings, bridges, etc., from the scope of famine works ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : There is no rule in the Famine Code which excludes the execution of works of permanent value ; but works such as these with the exception of the earth work on canals give very little employment to unskilled labour in proportion to their cost.

PROCESS FEES.

***2537. Rao Bahadur Chaudhri Chhotu Ram :** Will the Honourable Member for Revenue kindly state whether certain additions have recently been made by the Financial Commissioner in the scale of process fee, and if so, whether the Standing Finance Committee or the Standing Revenue Committee was consulted on the question of this enhancement?

The Honourable Captain Sardar Sir Sikander Hyat Khan : It is not quite clear from the question whether the honourable member is referring to writs, warrants or processes for the collection of land revenue on the processes issued by post. In the case of the former, no increase has been made in the process fees; whereas in the case of latter the rate has been increased from 4 annas to 5 annas on account of increase in the postal rates. It was not considered necessary to refer the case to the Standing Finance Committee or Standing Committee on Land Revenue.

PROMOTION EXAMINATION RULES IN THE AMBALA DIVISION.

***2538. Kanwar Mamraj Singh Chohan :** Will the Honourable Minister for Education be pleased to state—

- (a) whether it is a fact that Mr. Wilson, Inspector of Schools, has issued a circular in his division, that a boy who passes in the final examination in all subjects is not to be promoted unless he has a similar record in the previous house examinations;
- (b) under what section of the Punjab Educational Code the circular is issued;
- (c) if there be no section in support of the circular the reasons for not promoting a boy who has passed in the final promotion examination in all subjects;
- (d) whether such a procedure is followed in any other division of the province;
- (e) whether the circular was issued with the sanction of the Director of Public Instruction;
- (f) whether it is a fact that the procedure hitherto followed was that a boy passing in the final examination was promoted to the higher class independent of the result in the house examination;
- (g) whether it is a fact that in the B. D. High School, Ambala, several boys have been refused promotion this year, though successful in the final examination;
- (h) whether the Government is aware that in the Divisional Conference of the head masters of Ambala division, held in the third week of April, 1933, a resolution was passed to rescind this circular;
- (i) whether the Government proposes under the circumstances to direct that the circular which has now been cancelled in pursuance of the resolution of the divisional head masters conference, be not applied to the last promotion examination and the boys passing in the final examination be given promotion?

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

ELECTION TO THE AMBALA CANTONMENT BOARD.

***2539. Kanwar Mamraj Singh Chohan :** Will the Honourable Finance Member be pleased to state—

- (a) whether it is a fact that the arrangement of dividing Ambala Cantonment into wards for the purpose of Ambala Cantonment Board Elections was revised in the year 1931 ;
- (b) whether it is a fact that under revised arrangement, the Sudder Bazar with a population of about 28,000 has been converted into two double-member wards and the three outlying bazars with a population of about 11,000, in three single-member wards ;
- (c) whether the Government is aware that the result of the creation of double-member ward is the return of one Hindu and one Muhammadan from that ward ;
- (d) whether it is a fact that in 1931 under this revised arrangement, the Muhammadans were able to capture three seats for Muhammadan candidates and two seats for Hindus ;
- (e) whether the Government is aware that the result of all this was that in Ambala Cantonment, where the Hindu population is more than 2 to 1 and the Hindu voters even exceed that proportion, a Muhammadan Vice-President was elected by the elected members ;
- (f) whether it is a fact that the Hindu Sabha, Ambala Cantonment, has entered a strong protest against this revision of wards on the grounds (1) that while it has ensured the two seats to which the Muhammadans are entitled by virtue of their population and voters strength, it has made it possible for them to capture more seats, to the detriment of Hindu interests ; (2) that while in the Sudder Bazar a candidate represents about 7,000 people, he represents just half the number in outlying bazars ;
- (g) whether it is a fact that in spite of several reminders to the Home Secretary, Government, Punjab, no reply has as yet been received to any one of the above representations of the Hindu Sabha ;
- (h) whether the Government will be pleased to explain why the Hindu Sabha representations on this subject have not been considered so far and to say when these are likely to be considered ;
- (i) how the Government proposes to do away with the anomaly of different candidates in the same Cantonment having to tackle voters varying in strength by 100 per cent. ;

- (g) how the Government proposes to redress the wrong done to the Hindus of Ambala Cantonment, by giving Muhammadans undue representation in the Cantonment Board as a result of the revision of the wards in 1931 ;
- (h) whether the Hindu Sabha has suggested that the wards be constituted afresh, so that the strength of voters in each ward may be equal and each ward may be a single-member ward ;
- (i) whether the Government proposes to consider the above suggestion ; if not, why not ?

The Honourable Sir Henry Craik : (a) Yes.

- (b) Yes.
- (c) Yes.
- (d) Three Muslims and 4 Hindus were elected.
- (e) A Muhammadan Vice-President was elected.
- (f) Yes.
- (g) Replies were sent.
- (h) Does not arise.
- (i), (j) and (l) The honourable member is referred to the replies given to starred question No. 912¹.
- (k) Yes.

ANNUAL RETURNS OF ACCOUNTS, N.-W. R. UNION.

***2540. Mr. M. A. Ghani :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that Messrs. Sodhbans & Co., Auditors, Lahore, appended a separate note to the annual returns of accounts—
 - (i) for the year 1931-32 ; and
 - (ii) for that of 1932-33 ;
- of the North-Western Railway Union, Lahore, registered under the Indian Trade Unions Act ;
- (b) if so, what action was taken by the Registrar, Trade Unions, Punjab, Lahore, on the separate notes mentioned in (a) ;
- (c) if the answer to (b) be in the negative, the reasons for not taking any action ;
- (d) whether the Honourable Revenue Member will kindly place on the table copies of the separate notes mentioned in (a) ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The Registrar was not supplied with a copy of the separate note, to which the honourable member refers, with the annual returns.

(b), (c) and (d). Do not arise.

Mr. M. A. Ghani : Did the Registrar ask for the separate note ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I think it is the duty of the Association to send all the returns complete.

Mr. M. A. Ghani : Is a separate note not a part and parcel of the certificate of the Auditor?

The Honourable Captain Sardar Sir Sikander Hyat Khan : But it was not furnished to the Registrar.

Mr. M. A. Ghani : Was it not the duty of the Registrar to ask for it?

The Honourable Captain Sardar Sir Sikander Hyat Khan : No.

Mr. M. A. Ghani : Does the honourable member consider that audit report is complete without the separate note?

The Honourable Captain Sardar Sir Sikander Hyat Khan : It would depend upon the circumstances.

SUBORDINATES OF THE IRRIGATION DEPARTMENT.

***2541. Mr. M. A. Ghani :** Will the Honourable Revenue Member be pleased to state—

- (a) whether his attention has been drawn to a letter published in the "*Daily Herald*," Lahore, dated the 24th June 1933, at page 4 under the heading "Grave injustice to the subordinates of the Irrigation Department ;"
- (b) if so, what action has been taken to remove the grievances contained in the letter mentioned in (a) ;
- (c) if the answer to (b) be in the negative, the reasons for not taking any action ?

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

(b) Instructions on the subject already exist and compliance therewith is being insisted on by the Chief Engineer.

(c) Does not arise.

ADDRESS PRESENTED BY THE PUNJAB LABOUR BOARD, LAHORE.

***2542. Mr. M. A. Ghani :** Will the Honourable Revenue Member be pleased to lay a statement on the table showing the various actions, if any, taken by the Government on the various matters discussed in the Address which was presented to His Excellency the Governor, Punjab, on the 24th February 1932, by the Punjab Labour Board, Lahore, on behalf of the labouring classes of this province ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The honourable member is referred to the answer to his Council Question 1773.¹

SIMLA LABOUR INQUIRY COMMITTEE REPORT.

***2543. Mr. M. A. Ghani :** Will the Honourable Minister for Local Self-Government be pleased to lay on the table a copy of the report of the Simla Labour Inquiry Committee together with a statement showing the action taken by the Municipal Committee, Simla, on it ?

The Honourable Dr. Gokul Chand Narang : The honourable member apparently refers to the report of the Special Sub-Committee of the Municipal Committee of Simla submitted in August, 1929, on the working conditions of rickshaw coolies. A copy of this report together with a copy of the statement showing the action taken by the municipal committee thereon is being prepared and will be supplied to him shortly.

Mr. M. A. Ghani : Does the Honourable Minister mean that since 1929 the report has not yet been prepared?

The Honourable Dr. Gokul Chand Narang : The report is ready; copy is not ready.

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LALA LOK NATH SURI, INDUSTRIAL SURVEYOR.

***2544. Mr. M. A. Ghani :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether Lala Lok Nath Suri, Industrial Surveyor of the Bahro Circle, possesses any professional or technical qualifications;
- (b) if not, the reasons for appointing a non-technical man to the post of an industrial surveyor;
- (c) whether it is a fact that Lala Lok Nath Suri was appointed on Rs. 80 per mensem as a junior clerk in the Director of Industries' Office in 1927;
- (d) whether it is a fact that in 1928 when he was appointed as an Industrial Surveyor, there were M.A., B.Sc., and B.A., LL.B., and other better qualified senior clerks in the Director of Industries' office;
- (e) if answer to (d) be in the affirmative, reasons for appointing Lala Lok Nath Suri mentioned in (a) as Industrial Surveyor;
- (f) whether it is a fact that Lala Lok Nath Suri is the younger brother of the Personal Assistant to the Honourable Minister for Local Self-Government?

The Honourable Dr. Gokul Chand Narang : (a) Lala Lok Nath Suri, B.A., has the educational qualifications requisite in an Industrial Surveyor. No special technical or professional qualifications have been laid down.

(b) Does not arise.

(c) He was appointed as a Senior Clerk in the office of the Director of Industries in the year 1928.

(d) and (e). Senior clerks in the office of the Director of Industries are not necessarily qualified for industrial surveyorship, nor are appointments to the latter confined to the former. Lala Lok Nath Suri was deemed to be the most suitable candidate for the vacancy and was appointed in 1929.

(f) Yes. The fact is however irrelevant to the appointment in question.

Mr. M. A. Ghani : Is it a fact that Lala Lok Nath is a mere B.A. of the Punjab University ?

The Honourable Dr. Gokul Chand Narang : I require notice. The answer says he is a B.A. ; I do not know of which University.

Mr. M. A. Ghani : Is it a fact that in the office of the Director of Industries there were many M.As., and B.A., LL.Bs., and more highly qualified candidates for this post ?

The Honourable Dr. Gokul Chand Narang : Possibly. I require notice.

Mr. M. A. Ghani : What were the reasons for appointing Lala Lok Nath when there were more highly qualified candidates ?

The Honourable Dr. Gokul Chand Narang : His greater suitability as judged by the Government in 1929.

Mr. M. A. Ghani : In what respect was he considered to be more qualified than others ?

The Honourable Dr. Gokul Chand Narang : For the duties that he was expected to discharge.

INDUSTRIAL SURVEYORS.

***2545. Mr. M. A. Ghani :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the functions performed and the work done by the industrial surveyors of the Punjab ;
- (b) how the work done by the industrial surveyors is checked by the Director of Industries, Punjab ;
- (c) whether any reports, daily, weekly or monthly, of the work done by the industrial surveyors are submitted to the Director of Industries, Punjab ;
- (d) whether the industrial surveyors get the sanction of Director of Industries to their touring programmes before proceeding on tours ;
- (e) if answers to (c) and (d) or any of them be in the negative, the reasons for them ?

The Honourable Dr. Gokul Chand Narang : (a) The honourable member's attention is invited to the answer to Council question 1701.*

(b) and (c). Industrial surveyors submit diaries of the work performed by them monthly to the Director of Industries who also supervises their work by regular touring. The First Assistant to the Director of Industries further helps the Director of Industries in checking the work of industrial surveyors.

(d) Yes.

(e) Does not arise.

INDUSTRIAL SURVEYORS.

*2546. **Mr. M. A. Ghani :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the names of the industrial surveyors in the Punjab and the names of the districts allotted to the Circle of each of them ;
- (b) whether it is a fact that the district of Kangra is attached with the Lahore Circle and the district of Gujranwala with the Amritsar Circle ;
- (c) if answer to (b) be in the affirmative, whether it is not a fact that the industrial surveyor of Lahore Circle has to cross the Amritsar Circle to reach Kangra and the industrial surveyor of the Amritsar Circle has to cross the Lahore Circle to reach Gujranwala ;
- (d) reasons for attaching the districts of Kangra with the Lahore Circle and that of Gujranwala with the Amritsar Circle ;
- (e) whether the crossings mentioned in (c) do not cause unnecessary waste of public money on account of the travelling allowances and other allowances of the two respective industrial surveyors ;
- (f) whether it is not a fact that the district of Kangra was attached with the Lahore Circle in order to provide an opportunity to the Industrial Surveyor, Lahore (who is a younger brother of the Personal Assistant to the Honourable Minister for Local Self-Government) to go to the hills and thus increase his travelling allowances as well and that Gujranwala was attached with the Amritsar Circle in order to make up the deficiency in its area ;
- (g) if answer to (f) be in the affirmative, reasons for this arrangement?

The Honourable Dr. Gokul Chand Narang : (a) A statement is laid on the table.

(b) Kangra is in the circle of the Industrial Surveyor, Lahore, and orders have recently been issued including Gujranwala in the circle of the Industrial Surveyor, Sialkot.

(c) The answer to the first part of the question is in the affirmative. The second part of the question does not arise.

(d) Kangra has been attached to the Lahore Circle in the interests of the public service.

(e) No.

(f) The answer to the first part of the question is in the negative. The insinuation involved therein is entirely unwarranted. The second part of the question does not arise.

[Hon. Dr. G. C. Narang.]

(g) Does not arise.

Statement showing names of Industrial Surveyors and districts in their circles.

1. Lala Lok Nath Suri, Industrial Surveyor, Lahore	..	1. Lahore.
		2. Sheikhpura.
		3. Lyallpur.
		4. Montgomery.
		5. Multan.
		6. Muzaffargarh.
		7. Dera Ghazi Khan.
		8. Kangra.
2. Lala Mulk Raj Saini, Industrial Surveyor, Sialkot	..	1. Sialkot.
		2. Gujrat.
		3. Rawalpindi.
		4. Jhelum.
		5. Mianwali.
		6. Attock.
		7. Sargodha.
		8. Jhang.
3. Lala Jai Ram Kapur, Industrial Surveyor, Amritsar	..	1. Amritsar.
		2. Gurdaspur.
		3. Jullundur.
		4. Hoshiarpur.
		5. Ferozepore.
		*6. Gujranwala.
4. Bhai Balwant Singh, Industrial Surveyor, Ludhiana	..	1. Ludhiana.
		2. Ambala.
		3. Karnal.
		4. Gurgaon.
		5. Simla.
		6. Hissar.
		7. Rohtak.

*Will be included in the circle of Industrial Surveyor, Sialkot, with effect from 1st August 1933.

Mian Nurullah : Who makes the circles ?

The Honourable Dr. Gokul Chand Narang : Presumably the Director, but if you want exact information I should have notice.

Mr. M. A. Ghani : Will you kindly explain the exigencies of the public service in whose interest the Kangra Circle was attached to the Lahore Circle ?

The Honourable Dr. Gokul Chand Narang : These considerations are confidential and it will not be in the public interest to disclose them.

A. N. SAYAL, ASSISTANT HOSELY MASTER.

***2547. Mr. M. A. Ghani :** Will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether he is aware that a number of civil suits were pending against Mr. A. N. Sayal, Assistant Hosely Master, Government Hosely Institute, Ludhiana, during 1930, 1931 and 1932 ;

(b) whether he is aware that a number of decrees were passed in the civil suits mentioned in (a) against the said Mr. A. N. Sayal ;

(c) whether it is a fact that the salary of the said Mr. A. N. Sayal has been often attached in execution of the decrees mentioned in (b) ;

(d) if so, what action has been taken against him ?

The Honourable Dr. Gokul Chand Narang : Information is being collected and will be supplied to the honourable member when ready .

LIME STONE METAL QUARRY, TARKI.

***2548. Mr. M. A. Ghani :** Will the Honourable Minister for Agriculture be pleased to lay on the table a copy of the agreement entered into between the Government and one Mohan Singh for working the Tarki Lime Stone Metal Quarry, Tarki, district Jhelum ?

The Honourable Sardar Sir Jogendra Singh : It is regretted that it is not in the public interest to lay copy of the agreement on the table.

INDUSTRIAL DISPUTES.

***2549. Mr. M. A. Ghani :** Will the Honourable Revenue Member be pleased to lay on the table a statement showing—

(a) the number of industrial disputes in the Punjab since 1920 classifying them according to (i) trades, (ii) industries and (iii) services ;

(b) the number of workers involved in each of them ;

(c) the duration of the disputes mentioned in (a) ;

(d) the causes of the disputes ;

(e) their results ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : It is not clear what the honourable member means by " industrial disputes," but if he refers to strikes, a statement is laid on the table.

[Hon. Capt. Sardar Sir Sikander Hyat Khan.]

Statement showing the number of strikes held from 1920 to date.

Serial No.	Year of occurrence.	Name of factory in which strike took place.	Number of workers involved.	Duration of dispute.	Causes of the dispute.	Results.
1	1920	Civil and Military Gazette Press, Lahore.	450	6 weeks	Demand for increase of wages	Workers resumed work in the press.
2	1920	Paisa Akbar Press, Lahore	13	9 days	Ditto	Strike ended in favour of the press workers.
3	1920	Tribune Press, Lahore	96	22 days	Ditto	Ditto.
4	1920	Nawal Kishore Press, Lahore	60	1 month	Ditto	Ditto.
5	1920	North-Western Railway Press, Lahore.	380	33 days	Ditto	Ditto.
6	1920	Munshi-i-Am Press, Lahore	150	6 weeks	Ditto	Ditto.
7	1920	Kapur Printing Works, Lahore	22	9 days	Ditto	Ditto.
8	1920	Lahore Electric Supply Co., Ltd., Lahore.	291	..	Ditto	Mutually compromised.
9	1920	Bhulwani Cotton Mills, Bhulwani	30	1 day	Ditto	Mutually compromised. The strikers resumed work unconditionally.
10	1920	The Canal Central Workshop	130	3 days	Demand for certain concessions	Strike ended in favour of press workers.
11	1921	Dhartwal Mills	175	4 days	Demand for increase of wages	Mutual compromise was effected.
12	1923	Isher Das and Sons, Amritsar	240	4 days	Deduction in wages	Unconditional apology was given by the strikers.

No.	Year	Particulars	Number of persons	Duration	Demand for increase in wages	Certain concessions were granted to the employees.
13	1925	North-Western Railway Workshop, Lahore.	6,000	2 months		
14	1925	North-Western Railway Loco. and Carriage Shop, Lahore.	1,490	17 days	Ditto	Ditto.
15	1925	North-Western Railway Loco. Shed, Malakwal.	154	10 days	Ditto	Ditto.
16	1925	North-Western Railway Loco. Shed, Kundian.	163	10 days	Ditto	Ditto.
17	1925	North-Western Railway strike at Ludhiana.	29	29 days	Ditto	Ditto.
18	1925	North-Western Railway strike at Jind.	31	15 days	Ditto	Ditto.
19	1928	Dhariwal Mills	800	5 months	Stoppage of concessions, ill-treatment by officers.	300 workers resumed work and for the rest, fresh recruits were brought in.
20	1928	Municipal Sweepers' Strike, Amritsar.	613	1 day	Ill-treatment	Grievances of sweepers were removed.
21	1928	Press Workers' Strike at Amritsar	25	1 day	Delay in payment of wages	Strike ended in favour of employees.
22	1928	Trunk Makers' Strike at Amritsar	29	32 days	Reduction in wages	Strikers resumed work on account of differences coming in amongst them.
23	1928	Embroidery Machine Workers' Strike at Amritsar.	300	1 day	Demand in the increase of wages.	Increased rates of wages were allowed.
24	1928	Pulse Washers' Strike at Amritsar	150	4 days	Reduction in the hours of work.	Mutual compromise was effected.
25	1928	Butchers' Strike in Batala	93	5 days	Imposition of certain restrictions on the licensees to manufacture and sell meat.	Promise was given to redress the grievances.

[Hon. Capt. Sardar Sir Sikander Hyat Khan.]

Statement showing the number of strikes held from 1920 to date—continued.

Serial No.	Year of occurrence.	Name of factory in which strike took place.	Number of workers involved.	Duration of dispute.	Causes of the dispute.	Results.
26	1928	Basket Makers' Strike, Amritsar ..	80	10 days	Reduction in rates	Rates were agreed upon mutually.
27	1928	Attock Oil Company ..	Coolies employed in the oil fields.	2 days	Demand for the increase in wages	Coolies resumed work unconditionally.
28	1929	Central Flour Mills, Kasur ..	51	..	Discharge of 51 men due to closure of the mills.	Nothing.
29	1929	Gurm Khalsa Press, Amritsar ..	9	..	Long delay in payment of wages	Strike followed by compromise.
30	1929	Municipal Committee, Multan ..	386	..	(i) Demand to enjoy half holiday when death occurred of a member of the community. (ii) Sweepers going on leave should be re-employed immediately on return. (iii) No Mussalli should be employed as sweeper in place of a Hindustani sweeper.	Strike followed by compromise.
31	1929	Punjab Pulp and Paper Mills, Jagadhri.	800	..	(i) Non-payment of wages on customary dates. (ii) Insult of the President of the Workers' Union by Pandit Roop Narain Raina, General Assistant of the Peoples' Bank of Northern India, Ltd., Lahore.	Compromise.

32	1930	Ditto	809	Non-payment of wages	Strike followed by compromise.
33	1930	Eastern India Carpet Co., Ltd., Amritsar.	Figures not available.	Reduction of wages alleged to be proposed by factory owners.	No reduction was made, hence no strike or lock-out.
34	1930	Messrs. Nizam-ud-Din and Co., Carpet Factory Owner, Amritsar.	Ditto	Workers' dispute with a clerk of the firm and harsh treatment of the management.	Strike followed by compromise.
35	1930	Messrs. Uberoi, Ltd., Sialkot	50	Non-payment of wages	Workers left on the Punjab Government paying railway fare, etc.
36	1930	Punjab Pulp and Paper Mills, Ltd., Jagadhri.	799	Levy of fine for using more material followed by reduction of wages.	Compromise.
37	1930	All carpet factories of Amritsar	Figures not available.	Reduction of wages	Strike followed by compromise.
38	1930	(i) Messrs. Nationals, Ltd., Ludhiana. (ii) Messrs. Benjamin Weaving Factory, Ludhiana. (iii) Messrs. Bombay House, Ludhiana. (iv) Messrs. Ball Weaving Factory, Ludhiana. (v) Messrs. Malik Swadeshi Bhawan Weaving Factory, Ludhiana. (vi) Messrs. Labhu Ram-Khushi Ram, Weaving Factory, Ludhiana. (vii) Mahashe Jivan Singh, Weaving Factory, Ludhiana. (viii) Messrs. Kesho Ram-Chinit Ram, Weaving Factory, Ludhiana. (ix) Abadan Weaving Factory, Ludhiana. (x) Prem Das Weaving Factory, Ludhiana.	270		

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Statement showing the number of strikes held from 1920 to date—continued.

Serial No.	Year of occurrence.	Name of factory in which strike took place.	Number of workers involved.	Duration of dispute.	Causes of the dispute.	Results.
39	1931	Tilak Hosiery Factory, Lahore ..	150	..	Reduction of wages	Strike followed by compromise.
40	1931	(i) K. B. Sheikh Ghulam Hussain and Co. (ii) Messrs. Behari Lal Rattan Chand, and (iii) Messrs. Devi Sahai-Chamba Mal, Carpet Factory Owners, Amritsar.	500	..	Ditto	Ditto.
41	1931	Motor taxi owners and drivers of Lahore (with Government).	320	..	Hardships imposed by the New Motor Rules.	Strike. Matter later settled by Government by acceptance of some of the terms.
42	1931	Bankteshwar Cotton Mills, Amritsar.	800	..	Reductions in the rates of wages	Strike followed by compromise.
43	1931	Guru Ram Das Cotton Mills, Amritsar.	205	..	(i) Reduction in wages and family allowance. (ii) Delay in payment of wages.. (iii) Ill-treatment and use of abusive language by the management. (iv) Infliction of fine for petty offences. (v) Non-payment of arrears of difference in wages at the old rates and reduced rates for the last 3 months.	Ditto.

44	1931	..	Bankeshwar Cotton Mills, Amritsar.	300	..	Discharge of 3 workers for insubordination.	Ditto.
45	1931	..	North-Western Railway Administration.	4,000	..	Cut of 10 per cent. in the wages of all workers and short working hours for daily rated workers.	Ditto.
46	1932	..	19 handloom weaving factories of Ludhiana.	450	..	Demand for an increase in wages by 30 to 40 per cent. over the existing rates.	Ditto.
47	1932	..	(i) Messrs. Shiv Sahai Mal-Ram Mal, Ludhiana. (46) Ibrahim Weaving Factory, Ludhiana. (47) Jodi Weaving Factory.	64	..	Reduction in wages fixed at the termination of the last strike.	Ditto.
48	1932	..	18 handloom weaving factories of Ludhiana.	450	..	Non-enforcement of rules of wages settled by mutual agreement between the unions of factory owners and weavers at the termination of previous strike.	Ditto.

COST OF LIVING OF THE WORKING CLASSES.

***2550. Mr. M. A. Ghani :** Will the Honourable Revenue Member be pleased to lay on the table a statement showing the working classes cost of living index in the Punjab for each of the years since 1925 ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Cost of living index for working classes in the Punjab is not prepared.

Mr. M. A. Ghani : May I know the reasons why it is not prepared in this province when in other provinces it is prepared.

The Honourable Captain Sardar Sir Sikander Hyat Khan : This task, here in the Punjab, is usually undertaken by the Economic Board, and I suppose when an opportunity arises they would look into this matter also.

Mr. M. A. Ghani : My question is how is it that the Punjab has not as yet thought it fit to prepare an index ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Because the conditions in the Punjab, so far as industrial labour is concerned, are not the same as in other provinces.

WHOLESALE PRICES IN THE PUNJAB.

***2551. Mr. M. A. Ghani :** Will the Honourable Minister for Local Self-Government be pleased to lay on the table a statement showing the wholesale prices index numbers prevailing in the Punjab on 31st March 1933 as compared with the other provinces in India ?

The Honourable Dr. Gokul Chand Narang : Necessary information is being collected and will be supplied to the honourable member when ready.

A RECORD INSPECTION ROOM IN DISTRICT COURTS, LAHORE.

***2552. Mr. M. A. Ghani :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that there is no record inspection room in the district courts of Lahore ;
- (b) whether it is a fact that the members of the bar have to sit in a verandah enclosed by a gunny bag rough cloth without any fan to inspect the judicial records ;
- (c) whether he is aware that there is a general grievance among the members of the bar in this respect ;
- (d) if so, what action has been taken or is proposed to be taken to remove the grievance mentioned in (c) ?

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

(c) No complaints have been made to Government.

(d) The matter will be considered when finances improve, if a representation is made then.

Mr. M. A. Ghani : Does it require a large sum of money to provide a small inspection room in a district court?

The Honourable Captain Sardar Sir Sikander Hyat Khan : It certainly costs money to build a room.

Mr. Mukand Lal Puri : Could not a room be spared from the district court for that purpose?

The Honourable Captain Sardar Sir Sikander Hyat Khan : No, if a room could have been spared this question would not have arisen.

Mr. M. A. Ghani : Is it a fact that a very big room is given to the public prosecutor, which is not occupied for all the six hours of the day? Could not that room be spared for the inspection room?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Where will the public prosecutor sit?

Mr. M. A. Ghani : He could shift to some other small room.

The Honourable Captain Sardar Sir Sikander Hyat Khan : There is no other room.

Mr. M. A. Ghani : Is it not the duty of Government to provide lawyers with some suitable place for inspecting their files?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Every endeavour is made to do so.

Mr. M. A. Ghani : Why has that duty been neglected so far?

The Honourable Captain Sardar Sir Sikander Hyat Khan : It has not been neglected. If he had listened to my reply, he would have found that it has not been neglected.

Mr. M. A. Ghani : Is it not a fact that a place in a verandah only is given for inspection purposes?

The Honourable Captain Sardar Sir Sikander Hyat Khan : That is so.

Mr. M. A. Ghani : Is that place considered a suitable place for lawyers?

The Honourable Captain Sardar Sir Sikander Hyat Khan : No, I do not think that it is quite suitable.

Mr. M. A. Ghani : Why has the convenience of the lawyers been ignored so far?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Because of the financial stringency.

Shaikh Muhammad Sadiq : When did that financial stringency start—before the hydro-electric scheme or after the hydro-electric scheme? (laughter) Is it a fact that the files are not safe in the verandahs as the papers are likely to be lost? Is it not the paramount duty of Government to protect the lawyers from pilfering?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I believe they are kept in the record room and brought there for inspection when required.

Shaikh Muhammad Sadiq : Is it not more expensive—

The Honourable Captain Sardar Sir Sikander Hyat Khan : If honourable members would wait and hear the reply to the next question they would probably be satisfied.

Mr. M. A. Ghani : Is it a fact that two years ago there used to be a small inspection room attached to the Bar Room for the use of the lawyers? How is it that that room was taken away from them?

The Honourable Captain Sardar Sir Sikander Hyat Khan : There was a danger of files being tampered with, that is why it was taken away.

Mr. M. A. Ghani : How many files were tampered with?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I think the honourable member would be in a better position to answer that question.

Mr. M. A. Ghani : My answer is that there was absolutely no tampering with of files.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I did not say there was any tampering. I said there was a danger.

CONGESTION IN DISTRICT COURTS, LAHORE.

***2553. Mr. M. A. Ghani :** Will the Honourable the Finance Member be pleased to state—

(a) whether he is aware that there is an awful congestion in the district courts of Lahore;

(b) if so, what action has been taken or is proposed to be taken to remove the congestion mentioned in (a)?

The Honourable Sir Henry Craik : (a) Yes.

(b) Steps are being taken to rent a building for the accommodation of the subordinate judges who now sit in the district courts.

Mr. M. A. Ghani : Is it a fact that the Kapurthala House was being rented by Government for use of the district civil courts in Lahore?

The Honourable Sir Henry Craik : That was under consideration, but it did not come to anything. Another house is being rented.

LABOUR REPRESENTATIVE ON MUNICIPAL COMMITTEE, LAHORE.

***2554. Mr. M. A. Ghani :** With reference to the answer to supplementary question No. 2 to question No. 1777* (starred) put on the 11th November 1932, will the Honourable Minister for Local Self-Government be pleased to state—

(a) the names of the nominated members of the Municipal Committee, Lahore, who were regarded as fit to safeguard the interests of labour there;

(b) whether those members were nominated on the recommendation of any trade union or any labour organisation representing the labourers and workmen of Lahore;

- (c) if so, the names of the trade unions and labour organisations mentioned in (b) ;
- (d) if the answer to (b) be in the negative, the reasons for nominating the members mentioned in (a) to represent labour ;
- (e) in what respect or respects the members mentioned in (a) were regarded as better representatives of labour than those who were recommended by the Punjab Labour Board, Lahore, and other labour organisations representing the Lahore labour ?

The Honourable Dr. Gokul Chand Narang : (a) The nominations to municipalities are not required by any rules or practice to be made with a view to give representation to any particular interests, but are made on general considerations of communal adjustment, efficiency, honesty and public spirit. The members nominated were chosen in view of these qualifications and were considered quite fit to safeguard all the interests involved including those of labour. For names of the members nominated the honourable member is referred to Punjab Government notification No. 31896, dated the 26th October 1931.

(b) No.

(c) Does not arise.

(d) The honourable member is referred to the reply given to (a) above.

(e) In view of the reply to (a) this does not arise.

Mr. M. A. Ghani : In what respects were the members nominated considered fit to take interest in the subject of labour ?

The Honourable Dr. Gokul Chand Narang : In respect of education, experience of the world, knowledge of business, knowledge of conditions of labour and other such qualifications.

Mr. M. A. Ghani : Did you consider that those members had the confidence of the labouring classes ?

The Honourable Dr. Gokul Chand Narang : I have no reason to believe that they did not possess the confidence of any particular section of the community.

Mr. M. A. Ghani : Were they considered better fitted to represent labour than those who were recommended by so many Trade Unions of the Punjab ?

The Honourable Dr. Gokul Chand Narang : That is obvious.

LABOUR REPRESENTATION ON LAHORE MUNICIPAL COMMITTEE.

*2555. **Mr. M. A. Ghani :** With reference to the answer to supplementary question No. 8 to question No. 1777* (starred) put on the 11th November 1932, will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the number of the applications received for nominations to Lahore Municipal Committee for being appointed as labour representatives there ;

[Mr. M. A. Ghani.]

(b) the names of the applicants mentioned in (a) ;

(c) the names of the trade unions and labour organisations recommending each of the applicants mentioned in (b) ;

(d) the names of the applicants nominated ?

The Honourable Dr. Gokul Chand Narang : (a) No application was received from any one asking for appointment as a member of the Lahore Municipal Committee to represent labour. Some representations were received urging the appointment of a representative of labour but none from a candidate seeking appointment.

(b) The name of the honourable member was recommended in two of the representations referred to in (a).

(c) The representations traced by the office were received from the Motor Drivers' Union, Lahore, the Tonga Workers' Union, Lahore, the Punjab Process-Servers' Union and the Punjab Labour Board, Lahore. The last two mentioned no names.

(d) He was not nominated.

Chaudhri Allah Dad Khan : What are the reasons for not nominating the honourable member ?

The Honourable Dr. Gokul Chand Narang : It will not be in the interests of the honourable member to disclose the reasons.

Chaudhri Allah Dad Khan : After a question has been openly decided there should be no more secrecy about it. The honourable member has been nominated to the Legislative Council which is a much more important body, and we should therefore like to know why he has not been found fit to be nominated to the municipal committee.

The Honourable Dr. Gokul Chand Narang : The Council is certainly a far more important body than a municipal committee, but I am not prepared to admit that every member who is fit to be nominated a member of the Council is necessarily fit to be a member of the Lahore Municipal Committee.

Mr. M. A. Ghani : Is it a fact or not that besides the name of my humble self the names of certain other candidates were recommended by different unions and organisations for nomination as a labour member of the Lahore Municipal Committee ?

The Honourable Dr. Gokul Chand Narang : The representations to which I have referred did not disclose any other name except that of the honourable member.

Mr. M. A. Ghani : Is it a fact or not that the Process-Servers' Union recommended Dr. Karam Chand Hateshi ?

The Honourable Dr. Gokul Chand Narang : Most probably not.

Mr. M. A. Ghani : Is it a fact or not that the Punjab Labour Board recommended the name of Mr. M. A. Khan, Dr. Karam Chand Hateshi, and Sardar Harbhajan Singh ?

The Honourable Dr. Gokul Chand Narang : For this I should like to have special notice. So far as I can recollect, all that the representation of the Punjab Labour Board said was that there should be a representative of labour on the Lahore Municipal Committee, but no name was recommended in particular.

Mr. M. A. Ghani : Is it a fact or not that I had an interview with the Honourable Minister and told him that I did not care to be nominated, but that some one else ought to be nominated?

The Honourable Dr. Gokul Chand Narang : Did the honourable member mention any names?

Mr. M. A. Ghani : Certainly I did. I recommended the name of Dr. Hateshi.

The Honourable Dr. Gokul Chand Narang : I do not remember. My recollection is that the honourable member was very anxious to have himself nominated. (*Laughter*).

LABOUR REPRESENTATION ON THE LAHORE MUNICIPAL COMMITTEE

*2556. **Mr. M. A. Ghani :** With reference to the last sentence of the answer to supplementary question No. 8 to question No. 1777* (starred) put on the 11th November 1932, will the Honourable the Minister for Local Self-Government be pleased to state—

(a) whether the Government have now considered the question of special representation of labour in the Municipal Committee of Lahore;

(b) if so, the decision of Government in this respect?

The Honourable Dr. Gokul Chand Narang : (a) and (b). The question of the representation of various interests on the Municipal Committee of Lahore was considered and the Municipal Committee of Lahore was asked whether they would like the Municipal Committee to be constituted on the basis of representation of various interests. As the Municipal Committee did not agree to this modification, the matter was not pursued further.

ACTION ON THE REPORT OF THE ROYAL COMMISSION ON LABOUR.

*2557. **Mr. M. A. Ghani :** With reference to question No. 1762† (starred) put on the 11th November, 1932, will the Honourable Revenue Member be now pleased to lay a statement on the table showing the action taken by the Punjab Government on the various recommendations of the Royal Commission on Labour in India so far as the provincial matters relating to this province are concerned?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The attention of the honourable member is invited to the answer given to his question put in the autumn session of the Council. The recommendations of the Labour Commission are still under the examination of Government.

* Volume XXII, page 319.

† Volume XXII, page 305.

Mr. M. A. Ghani : Is it a fact or not that the Government of India have published a sort of blue paper in which the actions taken on the different recommendations of the Royal Commission on Labour have been given in detail, and that paper also gives the action taken by the Punjab Government on those recommendations ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : If the honourable member will wait for the reply to the next question he will get the necessary information.

LABOUR COMMISSION AND DEBT COLLECTION.

***2558. Mr. M. A. Ghani :** With reference to the answer to question No. 1765* (starred) put on the 11th November, 1932, will the Honourable Revenue Member be now pleased to state whether the Punjab Government has yet expressed an opinion as regards the question of making "the besetting an industrial establishment for collecting debts" a criminal and cognizable offence in accordance with the recommendations of the Royal Commission on Labour in India ? If so, a copy of the opinion may be laid on the table.

The Honourable Captain Sardar Sir Sikander Hyat Khan : Government have replied to the Government of India that they are in favour of legislation on this subject provided that the legislation does not go further than the Royal Commission on Labour suggested. The Government of India propose to publish the replies received.

Mr. M. A. Ghani : What about the other recommendations ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Those concerning the provinces are still under consideration.

CENTRAL BANKING ENQUIRY COMMITTEE AND PATHAN MONEY-LENDERS.

***2559. Mr. M. A. Ghani :** With reference to the answer to part (c) of the question No. 1764† (starred) put on the 11th November, 1932, will the Honourable Finance Member be now pleased to state the action taken by the Punjab Government on the recommendation made by the Central Banking Enquiry Committee *re* the question of the protection of the borrowers from the high-handed methods employed by the Pathan money-lenders for the recovery of their money ?

The Honourable Sir Henry Craik : Enquiries made indicate that the activities of Pathan money-lenders in this province are not at present such as to justify action on the lines proposed by the Central Banking Enquiry Committee.

LABOUR REPRESENTATION IN LOCAL BODIES.

***2560. Mr. M. A. Ghani :** With reference to the answer to question No. 1778‡ (starred) put on the 11th November, 1932, will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether the Government have now considered the question of special labour representation in the local bodies of the province ;

(b) if so, the decision of the Government in this respect?

*Volume XXII, page 307.

†Volume XXII, page 306.

‡Volume XXII, page 320.

The Honourable Dr. Gokul Chand Narang : (a) Yes, the question is being considered.

(b) The matter has not yet been decided.

THE PUNJAB GOVERNMENT PRINTING PRESS WORKERS' UNION.

***2561. Mr. M. A. Ghani :** With reference to the answer to question No. 80* (starred) put on the 27th February, 1931, read with the answer to question No. 669† (starred) put on the 8th May, 1931, will the Honourable Revenue Member be now pleased to state—

(a) whether the Punjab Government Printing Press Workers' Union, Lahore, has been recognised ;

(b) if not, reasons for not recognising it ?

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

(b) The honourable member is referred to my answer to his Council question No. 80* of 1931 to which I have nothing to add. The situation is unchanged.

Mr. M.A. Ghani : What are the reasons for not now recognising the Government Printing Press Union apart from the rules to be framed or framed by the Government of India as regards the recognition of unions of labourers and skilled workers ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The same as I mentioned in my last reply.

AVERAGE ANNUAL INCOME IN THE PUNJAB.

***2562. Mr. M. A. Ghani :** Will the Honourable Revenue Member be pleased to state the average annual income of an inhabitant of this province during each of the years since 1925 ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : It is regretted that the information asked for by the honourable member is not available.

Mr. M.A. Ghani : Is it not in the public interest to collect such information ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : It is a matter of opinion.

Mr. M. A. Ghani : Does not Government consider it fit to collect the information in the public interest ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : It would be very difficult to get accurate figures. Besides it would be very expensive.

Mr. M.A. Ghani : Is it a fact or not that in almost all European countries and in other civilised countries such information is collected by the Government and supplied to the public ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I am not aware.

*Volume XVIII, page 140.

†Volume XIX, pages 246-47.

AMELIORATIVE MEASURES FOR LABOURERS, ETC.

***2563. Mr. M. A. Ghani :** Will the Chief Secretary be pleased to lay on the table a statement showing the steps taken by the Punjab Government to ameliorate the condition of the labouring, the depressed and the *kamin* classes of this province?

Mr. C. C. Garbett : Yes. In the short time available it has been impossible to compile a complete statement of the many steps taken by Government in various Departments to ameliorate the condition of the labouring, depressed and *kamin* classes of the province.

The Honourable member is reminded that no person is debarred from entry into Government service by reason of his religion, place of birth or descent.

In the field of education, the honourable member's attention is invited to—

- (1) Punjab Government (Ministry of Education) Circular No. 210-G. S., dated the 13th June, 1923.
- (2) Punjab Government (Ministry of Education) Resolution No. 20181-G., dated the 19th November, 1929, copies of which are laid on the table, and
- (3) to Article 121 of the Punjab Education Code, Eleventh Edition.

In the field of industries, special facilities are accorded to all artisans—a term which includes the labouring, depressed and *kamin* classes of the province. In some cases they are exempt from tuition fees : in others stipends are granted. There are special weaving classes for weavers. A travelling tanning demonstration party has been working since 1928 in the interests of *chamars* : technical advice is freely supplied to those who desire it, and a market through the Arts and Crafts Depot, Lahore, has been provided for many whose opportunities for the disposal of their products were previously limited. The recommendations of the Royal Commission on Labour have been implemented, and the working of the Factories Act is carefully supervised.

If the honourable member desires still more detailed material, the Director of Industries will be glad to supply it.

Copy of a letter No. 210-G. S., dated Simla, the 13th June, 1923, from G. ANDERSON, Esquire, C.I.E., M.A., Under-Secretary to Government, Punjab, to all Commissioners and Deputy Commissioners in the Punjab.

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

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

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

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

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

6. Much can now be done to stimulate this demand by the depressed classes for education. In many districts lists of the names of all children of school-going age who live within walking distance of the school are prepared; and it is suggested that the names of those who belong to the depressed classes should be marked in such a way that an inspector can see at a glance the number of children belonging to the community and how far that community is represented at the school. Notice should be taken of the energy or apathy shown by the teachers in taking steps for the welfare of the depressed classes. It is for local bodies to decide whether the fees should be remitted, and also whether books, etc., should be provided. Towards such expenditure, Government will contribute in accordance with the grading of each board, subject to the total maximum laid down each year. Reference has already been made to the fact that the old spirit of exclusion is showing signs of decay. The recent report of the Inspector, Ambala Division, is noteworthy in showing that, whereas the number of children of the depressed classes in schools established for those classes tends to decrease, the number of such children in the ordinary schools has considerably increased. It is true that objections are sometimes taken to the presence of such children in the class-rooms on the ground of their insanitary conditions and habits, but it should be the duty of the teachers to ensure that all the children, to whatever class they belong, are clean and tidy; and attention should be paid to this point by all inspecting officers. In large towns separate schools for these children may be necessary for the present.

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

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

9. Another important development of recent times has been the institution of night schools all over the province, particularly in the Multan Division; a matter on which you will

[Mr. C. C. Garbett.]

be addressed shortly. It is understood that many members of the depressed classes take advantage of these schools; and inspectors are being requested to take all possible steps within their power to secure their admission to these schools.

10. The Minister desires to take this opportunity of expressing his appreciation of the efforts made by local bodies and philanthropic societies on behalf of depressed classes and communities; and he is anxious, even in this time of acute financial stringency, to afford them all the encouragement and assistance at his command. In this noble work, he relies much on the co-operation of private effort; and much also on the desire of the community to help itself, a desire which has already expressed itself in some parts of the Province. He trusts, therefore, the satisfactory results of the last few years are merely a prelude to a far greater improvement in the near future, and that the Punjab will rise to its opportunities and will, as a whole, take a lead in the removal of illiteracy and ignorance from its midst and in the breaking down of the barriers between the depressed classes and those more fortunately circumstanced in life.

Proceedings of the Punjab Government (Ministry of Education) in the Education Department
No. 20181-G., dated the 19th November, 1920.

RESOLUTION.

The Education of the Depressed Classes.

For several years past, the Punjab Government (Ministry of Education) has been paying earnest attention to the improvement and expansion of educational facilities for the children of the depressed classes.*

2. In 1923, the Ministry expressed its views on this important matter in a circular which was widely distributed. It was there pointed out that the old spirit of exclusion was showing signs of decay, that there was far less reluctance than formerly to admit the children of the depressed classes to the schools of the Punjab, and that the parents themselves were becoming more alive to the benefits of education.

In order to stimulate this healthy development, certain steps were taken :—

- (a) Inspectors were requested to maintain in each school lists of children belonging to these classes living in the vicinity so that they could see at a glance at the time of inspection how far the community was represented at the school. By this means, notice could be taken of the energy or apathy shown by the teachers in taking steps for the improved welfare of the depressed classes.
- (b) Attention was drawn to a recent revision of the grant-in-aid rules for elementary schools whereby the rates of grant had been enhanced, especially in respect to those schools in which trained teachers were employed.
- (c) Permission was given to local bodies to provide school books free of charge to the children of these classes, Government engaging to contribute towards the increased expenditure in accordance with the grading of each district.
- (d) Inspectors were required "to be vigilant in selecting suitable candidates from among these classes for admission to normal schools." Reference was also made to the excellent work being done by the American Presbyterian Mission in their training class which is attached to the Mission vernacular middle school at Bioga; and it was stated that full grants should be awarded in respect to such teachers as had successfully completed an approved course of training at that institution.

3. Thus, in 1923, the Punjab Government (Ministry of Education) while prepared to assist the maintenance of separate institutions for the depressed classes, was definitely of opinion that the more healthy line of development was the encouragement of the children of these classes to take their places in the ordinary recognised schools of the province; and this opinion was confirmed in the Government Resolution dealing with the annual report of 1925 :—

"The effect of the measures recently taken to quicken the progress of the depressed classes is seen in the increased attendance of the pupils in the ordinary schools, which is a sign of the diminishing prejudice against these people. The problem is difficult indeed, but it would be unwise, especially in view of the more generous attitude of the people towards these unfortunate classes, to crystallise the reactionary spirit of older times by an indiscriminate multiplication of separate schools."

*The following are included under this heading :—

Chamar, Weaver, Sweeper, Ramdasi, Durnia, Kohli, Sarera, Dhobi, Megh, Sansi, Ghosi, Bagria, Od Mahtam and Kahar.

4. The following figures show that there has been not only a large increase in the enrolment of these children, but also that the proportion of those enrolled in the ordinary schools is far greater than that of those enrolled in the separate schools; and this is perhaps the most promising feature of the present situation :—

Kind of institutions.	NUMBER OF SCHOLARS.					Increase or decrease since 1924.
	1924.	1925.	1926.	1927.	1928.	
<i>For males.</i>						
1. Schools for general education..	8,576	9,261	15,027	14,908	20,703	12,127
2. Arts colleges	1	..	..	..	..	..
3. Special schools	1,317	1,733	3,137	3,471	4,524	3,207
4. Professional colleges ..	..	..	..	..	..	..
Total ..	9,894	10,994	18,164	18,379	25,228	15,334
<i>For females.</i>						
1. Schools for general education..	384	481	872	400	631	247
2. Arts colleges .. ..	..	..	..	..	..	..
3. Special schools .. ..	..	3	13	102	268	..
4. Professional colleges ..	..	..	..	..	..	..
Total ..	384	484	885	502	899	515
Grand total for males and females	10,278	11,478	19,049	18,881	26,127	15,849
<i>Unrecognised institutions.</i>						
1. For males	317	482	281	511	582	265
2. For females	2	14	42	110	21	19
Grand total in all institutions ..	10,597	11,974	19,372	19,502	26,730	16,133

5. In 1928, the Ministry of Education considered that the time had arrived again to review the situation; and Rai Bahadur Lala Ram Chandra was placed on special duty. After a full inquiry, the Rai Bahadur compiled a report in which he appended valuable statistical information. Perhaps the most inspiring feature of the report is the opinion expressed that the attitude of those in more favourable circumstances towards these classes is steadily improving, and that there is little objection to the children of these classes being enrolled in the ordinary schools of the province. This opinion is confirmed by inspectors of schools and by other intimately connected with the work of education and with other social activities.

[Mr. O. C. Garbett.]

6. The Punjab Government (Ministry of Education), therefore, considers that the real solution of the problem lies in the direction of the increased attendance of these children in the ordinary schools. The opportunity is now taken to repeat previous instructions to inspectors and to others concerned that every encouragement should be given to the education of the depressed classes, that any educational disabilities under which they may be labouring on account of local prejudice or through lack of sympathy on the part of the teachers should be removed, and that any teachers found guilty of discouraging pupils of these classes should be punished.

Similarly, it is expected that privately managed schools will be prepared to admit the children of these classes freely to their schools. A school which is in receipt of grant-in-aid is not entitled to refuse admission to a pupil merely on the ground that he belongs to a depressed class.

Again, it has been observed in the past that local bodies, in making arrangements for the enforcement of compulsion under the Act, have sometimes excluded the children of these classes from the benefits of such a scheme. The Punjab Government (Ministry of Education) has always refused to sanction such proposals which appear to them to be contrary to the spirit and the letter of the Act, and which are calculated to make an unfair differentiation between class and class.

7. In the matter of school fees, much has been done already. The children of these classes are usually classified as village kamins, and therefore enjoy all the concessions which are allowed to agriculturists; that is to say, total remission of fees at the primary stage, and in certain districts and tahsils the remission of half the fees at the middle stage of anglo-vernacular and vernacular middle schools. Thus, no fees are levied at the primary stage in rural areas; and, very rarely, in the town. The Punjab Government (Ministry of Education) has now decided that, as from April, 1930, all the children of these classes shall be exempted from the payment of fees at the primary stage. It is also hoped that local bodies will show greater liberality than in the past in the provision of school books free of charge.

8. Although the statistics show considerable advance in the total enrolment of these children at school, yet for certain reasons very few of them at present go beyond the primary stage. On March 31st, 1928, there were only 781 boys enrolled at the middle stage, and only 37 at the high stage. The Punjab Government (Ministry of Education) has decided that, as from April, 1930, all the children of these classes (boys and girls) at the middle stage in vernacular and anglo-vernacular schools in all districts shall receive the half-fee concession which is now given to agriculturists in certain tahsils and districts.

In addition, provided that Government is able to arrange for financing the scheme, it has been decided to award the following scholarships for the children of these classes :—

- (a) scholarships of Rs. 10 per mensem up to a maximum of four in any given year at the college stage on certain conditions which will be specified later; and
- (b) thirty high school scholarships of Rs. 6 per mensem which will be awarded in accordance with the rules laid down in Chapter V of the Punjab Education Code (eleventh edition).

For the encouragement of these children at the middle stage, all local bodies are invited to provide close scholarships as in the case of Zamindari and Victoria Middle School Scholarships; and Government will contribute towards the expenditure thus incurred in accordance with the rules in force.

9. Perhaps the most potent means of encouraging these classes is the encouragement of some of their members to become admitted to the several institutions of the province maintained for the training of vernacular school masters and mistresses. It is pleasing to note that, in 1928, there were fifteen thus admitted, but this number should be increased in future years. It is hoped that the encouragement by means of scholarships and fee concessions which have already been discussed will result in a larger number of applicants for admission to these training institutions in future; and inspectors are requested to pay favourable attention to suitably qualified applicants from among these classes.

The Punjab Government (Ministry of Education), however, are of opinion that some additional assistance will be required during the actual course of training. The stipend for the senior course of training is at the rate of Rs. 10 per mensem; and that for the junior course is Rs. 8 per mensem. It has therefore been decided, subject to Government being able to arrange for financing the scheme, each year to award additional stipends of Rs. 5 per mensem up to twenty in number to approved teachers under training from among these classes.

10. As regards industrial schools under the Industries Department there has never been any spirit of exclusion or practice of discrimination. In admitting pupils regard is paid to the fact whether they belong to the artisan class.

The system of stipends and scholarships sanctioned by Government for industrial schools is very generous, and as the basis of award of the stipends is poverty, and the condition of retention is reasonable progress and conduct, the depressed classes have first claim on them. At least 50 per cent. of the pupils in middle departments of industrial schools are in receipt of some help under the present rules, and in nearly all schools the pupils in the primary departments pay no fees as most of the schools exist in centres where primary education is free. Moreover, all depressed class pupils of artisan classes (Dhanaks, Chamars, etc.) are exempted from paying fees at any stage of their education, and in addition 25 per cent. of the pupils are exempted from payment of fees on the score of poverty.

Exact statistics as to the number of pupils from the depressed classes in the industrial schools are not available, but there is a large number of Dhanaks in the school at Rontak, and the weaving section of the schools in other places is also similarly filled.

ORDER.—Ordered that the Resolution be printed in the *Punjab Government Gazette*, English and Urdu edit ons, and also communicated to the Press. Also that copies be forwarded to the Divisional Commissioners; Deputy Commissioners; all Divisional, District and Assistant District Inspectors of Schools; the Inspector of Training Institutions; the Deputy Directress of Public Instruction, Punjab; the Inspector of Vernacular Education; the Principals of the Central Training College and other Government Colleges; the Headmasters and Principals of Government High and Normal Schools; the Managers of all recognized aided and unaided schools; the Registrar, Co-operative Credit Societies; the Director of Industries and the Director of Public Health, for information.

MANOHAR LAL,

Minister.

G. ANDERSON,

Under-Secretary to Government, Punjab.

HIGHEST AND LOWEST SALARIES OF GOVERNMENT SERVANTS.

*2564. **Mr. M. A. Ghani**: Will the Honourable Finance Member be pleased to state—

(a) the name of the Government servant of this province getting the highest amount of salary together with allowances, etc., and also the amount of the annual salary, allowances, etc., drawn by him;

(b) the name or the name of the class of Government servants of this province getting the lowest amount of salary together with any allowance and also the annual amount of salary, allowance etc., drawn by him, or them;

(c) the ratio between the salary, allowances, etc., mentioned in (a) and the salary, allowances, etc., mentioned in (b)?

The Honourable Sir Henry Craik: (a) His Excellency the Governor—the honourable member is referred to page 167 of the Budget Volume for 1933-34.

(b) To give an answer to this question would entail an examination of the rates of pay of all classes of menials employed in every office in the province and the public interest of the information, when obtained, would not be commensurate with the trouble and expense involved in obtaining it.

(c) Cannot, in the circumstances, be given.

SECOND ASSISTANT TO THE DIRECTOR OF INDUSTRIES, PUNJAB.

*2565. **Mr. M. A. Ghani**: Will the Honourable Minister for Local Self-Government be pleased to state—

(a) whether it is a fact that Mr. Vir Bhan, M.A., the 2nd Assistant to the Director of Industries, Punjab, was on leave for four months during the last year;

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- (b) if so, whether it is not a fact that no one was appointed to officiate for him during the period of his leave mentioned in (a) ;
- (c) if answer to (b) be in the affirmative, whether it is a fact that the efficiency of the work of the department did not suffer in any way or at least was not impaired in any respect ;
- (d) if so, reasons for not abolishing the post of Mr. Vir Bhan mentioned in (a) and providing him somewhere else ?

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

(b), (c) and (d) In the interests of economy at a time of severe financial stringency, no officiating appointment was made. As far as possible the work of the post was shared by the Director of Industries and his First Assistant in addition to their own duties, but Government does not consider that it would be in the public interest to make that temporary arrangement a permanent one.

LIBRARY AT THE DEPARTMENT OF INDUSTRIES, PUNJAB.

***2566. Mr. M. A. Ghani :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the number of books on the labour movement in the library attached with the Department of Industries, Punjab ;
- (b) the percentage of the number of books mentioned in (a) with those on the other industrial subjects in the library ;
- (c) whether it is not a fact that there are very few books on the labour movement in the library mentioned in (a) ;
- (d) if so, the reasons for the paucity of the number of books mentioned in (a) in the library mentioned above ?

The Honourable Dr. Gokul Chand Narang : (a) 57 books and 298 bulletins and reports purely on labour subjects. In addition the books on industrial and economic problems in the library also deal with labour.

(b) About 12 per cent. of the total number of books and reports in the library.

(c) No.

(d) Does not arise. A number of additional books on the subject have been ordered.

LAW COLLEGE, LAHORE.

***2567. Mr. M. A. Ghani :** Will the Honourable Minister for Education be pleased to lay on the table a statement showing :—

- (a) the number of students in the Law College, Lahore, in (i) F. E. L. class and (ii) LL.B. class, (iii) their total, in each of the years from 1920 to 1933 ;
- (b) the number of students in the Law College, Lahore, who passed the LL.B. examination of the Punjab University in each of the years from 1920 to 1933 ?

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

**MR. A. N. SAYAL, ASSISTANT HOSIERY MASTER OF GOVERNMENT
HOSIERY INSTITUTE.**

***2568. Mr. M. A. Ghani :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) how many times the Head Master of the Government Hosiery Institute, Ludhiana, has reported against Mr. A. N. Sayal, Assistant Hosiery Master, Government Hosiery Institute, Ludhiana, for his absentsing himself without leave from the Institute ;
- (b) whether it is a fact that no action has ever been taken against Mr. A. N. Sayal mentioned in (a) for his thus absentsing himself ;
- (c) if so, reasons for not taking any action ?

The Honourable Dr. Gokul Chand Narang : The Hosiery Expert brought certain instances of overstayal of leave by Mr. Sayal to the notice of the Director of Industries who took suitable action in the matter. Government does not consider that any further action is required.

**MR. A. N. SAYAL, ASSISTANT HOSIERY MASTER OF GOVERNMENT
HOSIERY INSTITUTE.**

***2569. Mr. [M. A. Ghani :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether it is a fact that Mr. A. N. Sayal, Assistant Hosiery Master, Government Hosiery Institute, Ludhiana, absented himself without leave from the Institute on 24th January, 1933, to attend a civil court in connection with a suit pending against him ;
- (b) if so, what action has been taken against him for thus absentsing himself ;
- (c) if answer to (b) be in the negative, reasons for not taking any action against him ?

The Honourable Dr. Gokul Chand Narang : Information is being collected and will be supplied to the honourable member when ready.

PERSONAL REGISTERS OF ENGINEERING SUBORDINATES.

***2570. Mr. M. A. Ghani :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the Chief Engineer of the Irrigation Branch of the Public Works Department, Punjab, has ordered that all the superintending engineers and the executive engineers in the province should always call upon the engineering subordinates of the said Irrigation Branch to explain any mistake

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or delinquency on their part before making any unfavourable remarks at the time of the annual writing up of their personal register ;

- (b) whether it is not a fact that no superintending engineer and no executive engineer ever takes any explanation from, or gives any warning to, the engineering subordinates or ever makes brief statements of facts before making unfavourable remarks as mentioned in (a) ;
- (c) if so, whether he is aware that a number of the engineering subordinates have been victimized on account of the high-handed action taken by the superintending engineers and executive engineers as mentioned in (b) in non-compliance with the orders of the Chief Engineer as mentioned in (a) ;
- (d) if answer to (c) be in the affirmative, what action has been taken or is proposed to be taken to remove the grievance of the engineering subordinates mentioned in (a) and stop their victimization mentioned in (c) ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The orders are that an explanation must be called for and considered before an entry of censure or reprimand is entered in the personal register in connection with any particular fault.

Unfavourable remarks may be made in the annual report and are not based on any particular failing (which is usually one of character that cannot be explained) but on the general work and efficiency of the subordinate.

(b) No.

(c) No.

(d) Whenever it appears to Chief Engineer that due regard has not been paid to the rules in writing up personal registers suitable steps are taken.

PERSONAL REGISTERS OF ENGINEERING SUBORDINATES.

***2571. Mr. M. A. Ghani :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that the personal registers of the engineering subordinates of the Irrigation Branch of the Public Works Department, Punjab, are kept in the custody of their respective executive engineers ;
- (b) whether it is a fact that the executive engineers mentioned in (a) are the reporting officers of the engineering subordinates mentioned above ;
- (c) whether it is a fact that on account of the personal registers being in the custody of the executive engineers as mentioned in (a) they (i.e., the executive engineers) see the previous remarks made in them (i.e., the personal registers) before making the remarks at the time of annual writing up of those personal registers ;

- (d) if so, whether it is a fact that by seeing the previous remarks as mentioned in (c), the executive engineers are prejudiced against the subordinates mentioned in (a) and they do not form their own opinion by seeing the actual work done by them for the period for which the report is made and thus they (i.e., the subordinates) are victimized to a great extent;
- (e) if so, what action has been taken to remove the grievance of the engineering subordinates mentioned in (d), and if not, why;
- (f) whether it is a fact that the personal registers of the tahsildars and naib-tahsildars are kept in the custody of the commissioners and not in that of the deputy commissioners who are their (i.e., tahsildars' and naib-tahsildars') reporting officers;
- (g) if so, reasons for not keeping the personal registers of the engineering subordinates mentioned in (a) in the custody of the superintending engineers instead of in that of the executive engineers?

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

(b) Yes.

(c) Yes.

(d) When writing up the annual report the executive engineer consults the sub-divisional officer under whom the overseer has worked and his report has far more influence than anything that may already be in the personal register.

If however the honourable member considers that the executive engineer is influenced by previous reports he should realise that the executive engineer is just as liable to be influenced by good reports as by bad ones.

(e) I am not aware that engineering subordinates have any real grievance.

(f) The annual reports of naib-tahsildars and tahsildars are kept by commissioners and financial commissioners.

(g) Because the circumstances differ.

Mr. M. A. Ghani : In what respects do they differ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Tahsildars have not got to do or supervise construction work.

TRAVELLING ALLOWANCE OF ENGINEERING SUBORDINATES.

***2572. Mr. M. A. Ghani :** Will the Honourable Revenue Member be pleased to state—

- (a) whether it is a fact that prior to July, 1931, the various superintending engineers of the Irrigation Branch of the Public Works Department, Punjab, introduced the rationing system of the travelling allowance for the engineering subordinates and that varying amounts were fixed as maxima in their behalf;
- (b) whether it is a fact that the Chief Engineer of the Irrigation Branch of the Public Works Department, Punjab, issued a circular letter No. 01362/82, dated 3rd July, 1931, cancelling the

[Mr. M. A. Ghani.]

rationing system and the fixing of the maxima as mentioned in (a) and directing that no limits should be fixed as regards the amount of the travelling allowances of the engineering subordinates mentioned in (a) but instructing the divisional officers of the Irrigation Branch to cut the amounts of the travelling allowances claimed on account of journeys which were in their opinion not essential ;

(c) whether it is a fact that in spite of the orders of the Chief Engineer mentioned in (b) the rationing system still continues in one form or the other in all the circles of the superintending engineers mentioned in (a) ;

(d) if so, reasons for still continuing the rationing system mentioned in (c) ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Yes, some superintending engineers did so.

(b) Yes.

(c) On 5th July 1933 the Secretary of the Engineering Subordinates' Association reported cases of rationing of travelling allowance in certain circles. An inquiry into these allegations is now on hand.

(d) Reply to this part cannot be given until the enquiry referred to in part (c) is completed.

I should be glad if the honourable member would let me know the source from which he obtained the information regarding the official letter referred to in part (b) of the question.

PERSONAL REGISTERS OF ENGINEERING SUBORDINATES.

***2573. Mr. M. A. Ghani :** Will the Honourable Revenue Member be pleased to state—

(a) whether it is a fact that the system of the annual writing up of the personal registers of the engineering subordinates of the Buildings and Roads Branch of the Public Works Department, Punjab, has been abolished ;

(b) whether it is a fact that the system mentioned in (a) still obtains *qua* the engineering subordinates of the Irrigation Branch of the Public Works Department ;

(c) if so, reasons for keeping the system as mentioned in (b) ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Yes, in the personal register form, but an annual report is still submitted.

(b) Yes.

(c) It is considered necessary so that a continuous record of a man's services and qualifications may be available.

IRRIGATION BRANCH SUBORDINATES.

***2574. Mr. M. A. Ghani:** Will the Honourable Revenue Member be pleased to state—

(a) whether his attention has been drawn to letters which appeared in the "*Daily Herald*," Lahore, dated (i) 18th of the September, 1932, (ii) the 2nd October, 1932, and (iii) the 25th November, 1932, under the heading "Irrigation Branch and its Subordinates";

(b) if so, what action has been taken by the Government to remove the grievances mentioned in the letters referred to in (a)?

The Honourable Captain Sardar Sir Sikander Hyat Khan: (a) Only to the letter which appeared in the *Daily Herald*, Lahore, dated 25th November 1932.

(b) A representation was also received from the Engineering Subordinates' Association and the matter is being looked into.

TRAVELLING ALLOWANCE TO OVERSEERS.

***2575. Mr. M. A. Ghani:** Will the Honourable Revenue Member be pleased to state—

(a) whether his attention has been drawn to an article which appeared in the "*Daily Milap*," Lahore, dated 16th June, 1933, at page 13, column 2, under the heading "*Overseeron ka Bhatta*";

(b) if so, what action has been taken by the Government to remove the grievance mentioned in the article referred to in (a)?

The Honourable Captain Sardar Sir Sikander Hyat Khan: (a) Yes, on 22nd July, 1933.

(b) No action has been taken as no complaint has been made by those concerned to the Chief Engineer.

GOVERNMENT PRINTING PRESS, PUNJAB.

***2576. Mr. M. A. Ghani:** Will the Honourable Revenue Member kindly lay on the table a statement showing the names and designations of all the big and petty officers of the Punjab Government Printing Press, Lahore, together with their duties and the amounts of salaries and allowances drawn by them?

The Honourable Captain Sardar Sir Sikander Hyat Khan: The honourable member is referred to the answer to his Council question No. 598¹ of 1931.

CLEARING BRANCH, PUNJAB GOVERNMENT PRINTING PRESS.

***2577. Mr. M. A. Ghani:** Will the Honourable Revenue Member be pleased to lay on the table a statement showing (a) the yearly income and (b) the yearly expenditure of the Clearing Branch of the Punjab Government Printing Press, Lahore, ever since the creation of the said Branch?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The Clearing Office came into existence in October 1923, and the expenditure each year since then is as follows :—

<i>Year.</i>	<i>Expenditure.</i>
	Rs.
1923-24	1,364
1924-25	4,395
1925-26	7,104
1926-27	9,108
1927-28	10,050
1928-29	10,029
1929-30	9,738
1930-31	7,930
1931-32	7,153
1932-33	7,183

The Clearing Office does not earn any direct income, but since its creation it is estimated that it has been responsible for saving Government expenditure amounting to just under Rs. one lakh.

SEATING ARRANGEMENTS IN THE LOWER COURTS.

***2578. Mr. M. A. Ghani :** Will the Honourable Finance Member be pleased to state—

- whether he is aware that the chairs and tables put in the lower courts of the province for the members of the Bar are invariably broken or at any rate not fit for use ;
- whether he is aware that there is no seating arrangement for the clerks of the members of the Bar in the lower courts of the Punjab ;
- if answers to (a) and (b) be in the affirmative, what action has been taken by the Government to remove the grievances mentioned in (a) and (b) ?

The Honourable Sir Henry Craik : Government has received no information to this effect. If the state of affairs is as stated by the honourable member, the remedy lies in the hands of the presiding officers of the courts concerned.

HAFIZABAD SMALL TOWN COMMITTEE.

***2579. Khan Bahadur Shaikh Din Muhammad :** Will the Honourable Minister for Local Self-Government please state—

- whether " Notification No. 200, dated the 3rd January 1931 " was issued cancelling the previous " Notification No. 11849, dated the 6th May 1925," and declaring the area of Small Town Hafizabad in the Gujranwala district as a municipality of second class and inviting objections to this proposal within six weeks ;

- (b) whether the area in question has since been declared a municipality, if not, why not?

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

(b) No. Proposals regarding the electoral wards and rules of the proposed municipality are still awaited from the local officers.

STRENGTH OF MOGA MUNICIPALITY.

***2580. Pir Akbar Ali :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) communitywise voting and population strength of the Moga municipality with the number of members allotable to each community ;
- (b) communitywise number of elected members of the said municipality ;
- (c) communitywise number of nominated members of the said committee ;
- (d) whether a Muslim member has ever been nominated in the said municipality ;
- (e) whether at the time of the last election any Muslim gentleman was recommended by the Deputy Commissioner for nomination ;
- (f) if the answer to (e) be in the affirmative, the reasons for his rejection ?

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.

ADMISSION OF PUNJABEES INTO NORTH-WEST FRONTIER PROVINCE GOVERNMENT SERVICE.

***2581. Khan Bahadur Mian Mushtaq Ahmad Gurmani :** (a) Will the Chief Secretary kindly state—

- (a) whether he is aware that North-West Frontier Province Government have issued instructions to the effect that no Punjabee should be taken in any Government service in that province ;
- (b) whether these restrictions apply to the sons or relations of Punjabee officers serving in that province, or to the Punjabees, who have settled there ;
- (ii) If the Government have no detailed information on the subject, whether they propose to make inquiries and lay the information before the House ;
- (iii) If the answer to (a) and (b) above be in the affirmative, whether Government propose to impose similar restrictions on persons belonging to North-West Frontier Province ?

Mr. C. C. Garbett : (i) (a) and (b) Government have no information.

(ii) Enquiries will be made.

(iii) Does not arise.

GRANT-IN-AID TO INDUSTRIAL SCHOOLS UNDER PRIVATE MANAGEMENT.

***2582. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether it is a fact that provision is made in the annual budget of the Industries Department for the purpose of paying grant-in-aid to approved industrial schools under private management ;
- (b) whether it is a fact that up to date grant-in-aid has been paid to five industrial schools only, of which one is managed by a Christian Mission and four by Hindu Committees ;
- (c) whether it is a fact that only two of these aided industrial schools accept Muslim pupils ;
- (d) whether it is a fact that no industrial school managed by a Muslim Committee has ever received grant-in-aid from Government funds ;
- (e) whether it is a fact that there is one industrial school, to wit, the School for Electricians, Ludhiana, which is managed by a Muslim Committee and which accepts pupils from all communities and has been under inspection by Inspector of Industrial Schools for the last four years ;
- (f) whether it is a fact that in March, 1930, the Honourable Minister for Education visited the School for Electricians and expressed a high opinion about the school and its work ;
- (g) whether the Inspector of Industrial Schools has ever recommended that grant-in-aid should be granted to the School for Electricians, and if so, when and with what result ;
- (h) what action Government proposes to take to alleviate the very invidious treatment meted out to Muslims in the matter of payment of grant-in-aid to industrial schools under private management ;
- (i) whether it is a fact that approximately 50 per cent. of the total allotment for grant-in-aid to industrial schools under private management is paid to the Victoria Diamond Jubilee Hindu Technical Institute, Lahore ;
- (j) whether it is a fact that the V. D. J. H. T. I. imparts training in mechanical and electrical engineering and issues an Engineering Diploma ;
- (k) whether the Industries Department has any authority to pay grant-in-aid to engineering institutes ;
- (l) whether it is a fact that the School for Electricians, Ludhiana, is not an engineering institute but a school for working electricians and electrical mistries and fitters ;
- (m) if the answer to clause (c) above is in the negative, who placed the V. D. J. H. T. I. on the grant-in-aid list and when ;

- (n) if the answer to clause (d) above is in the affirmative what good reason has Government for not bringing the School for Electricians on the grant-in-aid list of the Industries Department ?

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

(b) No. Grants-in-aid are given to 11 schools, of which 5 are run by Hindu organisations, 2 by Christians Missions, 1 by a Muhammadan Committee, 1 by a Municipal Committee, and 2 by non-denominational societies.

(c) No.

(d) No.

(e) So far as the records of the Department of Industries show, the School for Electricians, Ludhiana, has not always been run by a Muslim committee. For instance in 1931 it had 8 Hindus and 1 Muslim on its managing committee. It has been inspected from time to time by the Inspector of Industrial Schools.

(f) Department of Industries has no information on the subject.

(g) Yes. The recent recommendation of the Inspector of Industrial Schools is under the consideration of the Department of Industries.

(h) The suggestion by the honourable member that there is invidious treatment in the matter of the payment of grants-in-aid to Muslim institutions is unwarranted. Requests for grants-in-aid from institutions belonging to all communities receive impartial consideration on their merits.

(i) Yes, the amount of grant-in-aid is assessed according to the rules.

(j) Yes, but the training has reference to mechanical and engineering trades, Mechanics Course and Oil Engine classes.

(k) It is not an engineering institute, but is an institute which gives training in engineering trades which is distinct from engineering. This institute was originally in receipt of a grant-in-aid from the Punjab Education Department and was subsequently transferred like other technical institutions to the control of the Industries Department.

(l) Yes.

(m) The Director of Public Instruction, Punjab, placed it on the grant-in-aid list in the year 1905.

(n) As stated above, the request of the School for Electricians to be placed on the grant-in-aid list is under consideration.

GRANT-IN-AID TO INDUSTRIAL SCHOOLS UNDER PRIVATE MANAGEMENT.

***2583. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Local Self-Government be pleased to state—

- (a) the amount provided in the budget of the Department of Industries for the payment of grant-in-aid to industrial schools under private management annually during the last five financial years ;

[Kh. Muhammad Eusoof.]

- (b) the expenditure on grant-in-aid to industrial schools under private management annually during the last five financial years ;
- (c) to what schools grant-in-aid was paid during the last five financial years, and how much money each school received each year ;
- (d) how many industrial schools were recommended for grant-in-aid during the last five financial years by the Inspector of Industrial Schools, and what action was taken on his recommendation ;
- (e) whether the Inspector of Industrial Schools has ever proposed an increase in the budget allotment for grant-in-aid ? If so, what action has been taken on his proposals ? If not, what is the purpose of his recommendations ;
- (f) if the present allotment for grant-in-aid to industrial schools under private management is considered to be so great that it cannot be increased, whether Government intends to distribute the grant over all the schools qualified to receive assistance ?

The Honourable Dr. Gokul Chand Narang : (a) and (b) Statement I is laid on the table.

(c) Statement II is laid on the table.

(d) The following schools were recommended by the Inspector of Industrial Schools for the award of grant-in-aid during the last five years:—

- | | | |
|--|---|--|
| (1) Hindu Industrial School, Kot Adu | .. Grant-in-aid sanctioned. | |
| (2) Hindu Orphanage Industrial School, Simla. | } Grant-in-aid not sanctioned. | |
| (3) Shradhanand Orphanage Industrial School, Karnal. | | |
| (4) Boys Industrial Home, Gujranwala | .. Grant-in-aid not sanctioned. | |
| (5) School for Electricians, Ludhiana | .. Has been recognised recently. The question of grant-in-aid is still under consideration. | |

(e) Yes. The action taken must depend on the available funds. As the honourable member will observe from Statement I, the allotment for grant-in-aid was decreased in 1932-33 owing to the need for economy.

(f) No. The amount of the grant-in-aid to any institution admitted to the grant-in-aid list is determined by rule. Financial conditions preclude any substantial additions at present to the grant-in-aid list, though each application receives the most careful consideration.

STATEMENT No. I.

Statement showing—

(a) the amount provided in the budget of the Department of Industries for the payment of grant-in-aid to industrial schools, and

(b) the expenditure on grant-in-aid to industrial schools;

under private management annually during the last five financial years :—

Year.	Budget grant (modified).	Expenditure on grant-in-aid.
	Rs.	Rs.
1928-29	22,250	21,073
1929-30	21,624	21,204
1930-31	21,190	20,890
1931-32	24,594	24,194
1932-33	21,200	21,200

STATEMENT No. II.

Statement showing the names and addresses of schools to which grant-in-aid was paid during the last five financial years and the amount of money each school received each year.

Name and address of school.	AMOUNT OF GRANT-IN-AID PAID.				
	1928-29.	1929-30.	1930-31.	1931-32.	1932-33.
	Rs.	Rs.	Rs.	Rs.	Rs.
1. Victoria Diamond Jubilee Hindu Technical Institute, Lahore.	12,148	13,392	13,622	13,861	11,560
2. Municipal Board Industrial School, Amritsar.	3,832*	..	..	..	..
3. Mission Industrial School, Gurgaon.	3,010	3,315	3,383	4,015	3,132
4. Arya Smaj Orphanage Industrial School, Ferozepore.	2,143	2,759	2,112	2,032	2,028
5. School for the Blind, Amritsar.	300	300	300	300	300
6. Hindu Industrial School, Kot Adn.	..	1,198	1,233	846	990
7. Women's Industrial Home, Lahore.	240	240	240	240	240
8. Darul Khwateen Industrial School, Amritsar.	..	..	..	600	600
9. Municipal Industrial Institute for Women, Ludhiana.	..	..	..	800	500
10. Margaret Irving Industrial School for Girls, Ambala City.	..	..	..	1,000	1,000
11. Hindu Industrial School for Girls, Multan.	..	..	..	500	500
12. Lyallpur League for the Service of Women Industrial School, Lyallpur.	..	..	..	..	360
Total	21,673	21,204	20,890	24,194	21,200

*This figure represents grant-in-aid paid for the months April to September 1928. The school was provincialised with effect from 1st October 1928.

DUTY ON SHAHKOT DISTRIBUTARY OF MIANWALI BRANCH OF
LOWER CHENAB CANAL.

***2584. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that on Shahkot Distributary of Mianwali Branch of Lower Chenab Canal the duty (one cusec=279 acres) has always been different from all other channels ;
- (b) if so, from whence and for what reasons ;
- (c) the duty on that channel as compared with others ;
- (d) whether the Government is prepared to compensate them for losses sustained due to this in the past ;
- (e) whether Government is prepared to place them on the same footing as others in the future ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Yes, but the supply given is greater than to other distributaries on the Lower Chenab Canal.

(b) The Shahkot distributary was moduled on a Full Supply Factor of 225 at distributary head.

(c) In the year 1930-31 the duty on Shahkot Distributary was 240 against a duty of 248 for all channels on Mianwali Branch.

(d) does not arise.

(e) Yes, if the irrigators so desire.

KHARABA ON SHAHKOT DISTRIBUTARY OF MIANWALI BRANCH,
LOWER CHENAB CANAL.

***2585. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state—

- (a) the percentage of *kharaba* on Shahkot Distributary of Mianwali Branch, Lower Chenab Canal, as compared with others, say Nasrana Distributary ;
- (b) if the supply of water on that distributary has been less, what concessions, if any, Government have been giving them ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The information required by the honourable member has been called for and will be supplied when received.

KASNI IN THE UPPER GUGERA DIVISION.

***2586. Mian Nurullah :** Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that during last *rabi* in the Upper Gugera division or any of its sub-divisions, *kasni* that accidentally grows with fodders like 'senji' and 'shaftal' and is used as fodder, has been charged as spices and not as fodder ;

- (b) whether this has been the practice before ; if so, for how long ;
- (c) whether it is a fact that in many other divisions this crop has always been treated and is being assessed as fodder only ;
- (d) the reason for making this change ;
- (e) whether Government knows of any instance in which *kasni* has been matured as a spice on the Lower Chenab Canal ? What is the rate of *abiana* for *kasni* (a) as fodder, (b) as spice ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The information required by the honourable member has been called for and will be supplied when received.

ASSESSMENT OF WATER RATES ON MIXED CROPS.

***2587. Mian Nurullah :** Will the Honourable Member for Revenue please state—

- (a) whether Government is aware that there is no uniform practice throughout the province regarding assessment of water rates on mixed crops ;
- (b) if not, the practice of each division in detail ?

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

(b) Does not arise.

Mian Nurullah : Have the Government made any enquiry ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The question was whether Government is aware that there is no uniform practice throughout the province and the answer is " no ".

Mian Nurullah : Have the Government made enquiries ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : We are making enquiries.

CANAL AND DRAINAGE ACT AND DATES FOR CROPS TO BE RESOWN.

***2588. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state—

- (a) the practice followed in Lyallpur, Jhang, Lower Gugera, Upper Gugera and Burala divisions, regarding the application of rule 25 of the Canal and Drainage Act, 1873 ;
- (b) whether it is a fact that dates for crops to be resown in the same season are fixed in every division ;
- (c) whether the practice is contrary to the provisions of the law ;
- (d) whether after the failure and ploughing up of the first crop if the second crop is not sown within those dates, *abiana* is charged for both crops, e.g., *toria* and wheat, cotton and *toria*, etc.

[Mian Nurullah.]

- (e) whether Government is aware that in some of the divisions the practice is that if *toria* is resown before 14th November it is not charged for, while if sown after 16th November it is charged for ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) (b), (c) and (d) Information required by the honourable member has been called for and will be supplied when received.

- (e) The meaning of this question is not clear.

Mian Nurullah : May I make the meaning clear ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : If the honourable member submits a fresh notice regarding part of the question, I will be glad to look into it.

ASSESSMENT OF KHARABA ON DERAJAT CANAL CIRCLE.

***2589. Mian Nurullah :** Will the Honourable Member for Revenue please state—

- (a) whether he will lay on the table a copy of the rules in force on the Derajat Canal Circle in 1932 about assessment of *kharaba* ;
- (b) whether it is necessary for a zamindar to apply for *kharaba* in the above circle ;
- (c) who recommends and who actually grants *kharaba* ;
- (d) the duties of a civil patwari and qanungo regarding *kharaba* on the above canal ;
- (e) the percentage of *kharaba* checked by tahsildar and naib-tahsildar on the above canal ;
- (f) the percentage checked by the revenue assistant and the deputy commissioner ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The information required has been called for from the local officers, and will be supplied to the honourable member when received.

ASSESSMENT OF KHARABA IN DERAJAT CANAL CIRCLE.

***2590. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state—

- (a) the percentage of *kharaba* granted in the Derajat Canal Circle during the years 1931-32 and 1932-33 ;
- (b) how this percentage compares with all other open canals ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : A statement giving the required information for the year 1931-32 is laid on the table. Information for the year 1932-33 has been called for and will be supplied to the honourable member when received.

Percentages of kharaba for 1931-32.

Name of Canal.	Area irrigated.	Area remitted as Kharaba.	Percentage of remission.
	Acres.	Acres.	
Western Jumna	942,850	26,682	2·8
Sirhind	1,180,387	26,974	2·2
Upper Bari Doab	1,257,255	56,440	4·5
Lower Bari Doab	1,205,115	64,169	5·3
Upper Chenab	533,030	48,035	9·0
Lower Chenab	2,398,231	80,753	3·3
Upper Jhelum	322,701	6,048	1·9
Lower Jhelum	824,791	23,960	2·9
Pakpattan	455,406	61,435	13·5
Dipalpur	337,845	13,227	3·9
Eastern	107,935	2,616	2·4
Mailsi	243,787	9,965	4·1
Ghaggar Inundation	23,617	7,957	33·7
Indus Inundation	263,413	126,759	48·1
Muzaffargarh Inundation	368,054	89,855	24·4
Sidhnai	329,516	102,406	31·1
Chenab Inundation.. .. .	196,556	60,506	30·8
Shahpur Inundation	65,597	3,429	5·2

SHORT NOTICE QUESTION AND ANSWER.

APPOINTMENT OF MR. MUHAMMAD SAFDAR AS SECRETARY OF THE LAHORE MUNICIPAL COMMITTEE.

Mr. Owen Roberts : (a) Will the Honourable Minister for Local Self-Government please state—

(a) whether it is a fact that the Commissioner of Lahore has refused to sanction the appointment of Mr. Muhammad Safdar as Secretary of the Lahore Municipal Committee ;

(b) if the answer to above is in the affirmative, the reasons for the refusal ?

[Mr. Owen Roberts.]

(ii) Will the Honourable Minister give the following information regarding Mr. Muhammad Safdar's connection with the Lahore Municipal Committee—

(a) the date of his first appointment to the Committee ;

(b) the posts held during the period of his service ?

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

(b) The relevant extracts from the Commissioner's letter No.A/VI/26/718, dated the 29th June 1933, to the Deputy Commissioner, Lahore, are placed on the table.

(ii) (a) 18th February 1926.

(b) (i) Taxation Officer,

(ii) Assessing Officer, and

(iii) Officiating Secretary.

Extracts from the Commissioner's letter No. A/VI/26/718, dated the 29th June 1933, to the Deputy Commissioner, Lahore.

With reference to your endorsement No. A-I-56 (II)-866-C, dated the 6th June 1933, giving cover to a copy of a resolution No. 148 passed at a special meeting of the municipal committee of Lahore held on the 23rd May 1933 in which the committee expresses its wish to appoint as its permanent Secretary Agha Muhammad Safdar who was officiating as Secretary of the committee up to the 30th April 1933 under the sanction accorded by my predecessor in his letter Do. A-VI-26-368, dated the 30th March 1933 I have the honour to request you to inform the Municipal Committee that after a perusal of the previous record of the official in question I am unable to accord my sanction under section 58 of the Municipal Act to his appointment to the responsible post of Secretary of the Committee.

2. It appears that this official has been in the employment of the municipal committee as Taxation Officer since the 18th February 1926 up to date with a short break in the year 1929 when he was appointed to a temporary post of assessing officer. From a perusal of paragraphs 14 to 21 of Mr. Dobson's Enquiry Report it will appear that the work of the taxation department during this period has been about as bad as it could have been. A perusal of these paragraphs has satisfied me that no official who has held a post of responsibility in the taxation department in recent years is fit for promotion to the responsible office of Secretary of the committee and I must refuse my sanction to the appointment accordingly.

Mr. Owen Roberts : Will the Honourable Minister make enquiries as to whether the words "previous record" refer to the record of Agha Muhammad Safdar prior to his becoming a servant of the municipal committee ?

The Honourable Dr. Gokul Chand Narang : I can make enquiries.

Mr. Owen Roberts : Will he communicate the result of his enquiries to this House ?

The Honourable Dr. Gokul Chand Narang : If it is not in the public interest it will not be communicated, otherwise Government will have no objection.

Mr. Owen Roberts : Will the Honourable Minister tell us whether Agha Muhammad Safdar has ever been given an opportunity of replying to the paragraphs of the Dobson Report which are now brought up against him ?

The Honourable Dr. Gokul Chand Narang : Most probably, yes. The Dobson Committee's report was sent to the Lahore Municipal Committee for comment upon the various paragraphs in the report and for taking the explanations of the various officers whose work was commented upon in that report. But to be exact, I would require notice.

Mr. Owen Roberts : Will the Honourable Minister remove this matter from the realm of probability to that of certainty by making an enquiry ?

The Honourable Dr. Gokul Chand Narang : I have no objection.

Mr. Owen Roberts : Is it a fact that the decision of this matter has been transferred to the Ministry ?

The Honourable Dr. Gokul Chand Narang : That is a matter of interpretation of the new Act.

Mr. Owen Roberts : It is publicly known that this matter was debated in the Lahore Municipal Committee and that a note was put up by the President with the knowledge and consent of the committee and a *communiqué* has since been issued to the press that the matter would now come before the Ministry.

The Honourable Dr. Gokul Chand Narang : Who issued the *communiqué* ?

Mr. Owen Roberts : The person who issues them. That is the report published in the papers.

The Honourable Dr. Gokul Chand Narang : I am not aware of any *communiqué* having been issued by my department or by any other responsible authority so far as I am aware.

Mr. Owen Roberts : Is the Honourable Minister prepared to deny that this matter must be considered by the Ministry ?

The Honourable Dr. Gokul Chand Narang : That is a matter for consideration.

Mr. Owen Roberts : The Honourable Minister has probably misunderstood me ?

The Honourable Dr. Gokul Chand Narang : Not at all.

Mr. Owen Roberts : I want to know whether he is prepared to deny that the question of Agha Muhammad Safdar's appointment as municipal Secretary of the Lahore Municipal Committee must come before him ?

The Honourable Dr. Gokul Chand Narang : I understood the honourable member perfectly correctly and I gave the only answer I could. I neither admit nor deny. That is a question which has to be considered, whether the matter has to be considered by Government or is still to be considered by the Commissioner.

Mr. Owen Roberts : May I know if I am right in understanding the Honourable Minister's meaning to be that he has to consider the question as to whether he has to consider the appointment.

The Honourable Dr. Gokul Chand Narang : The case has not yet been formally placed before me.

Mr. Owen Roberts : If it does turn out that he has to consider this matter and if it does come before him, will he take steps to compare the work done by the Taxation Department of Lahore Municipal Committee with that done by the provincial Income Tax Department?

The Honourable Sir Henry Craik : There is no provincial Income-Tax Department.

Mr. Owen Roberts : There used to be one. I have some figures before me which I am not prepared to quote, but I understand the source is the Punjab Administration Report and the figures for the year 1922-23.

Mr. President : The honourable member is making a speech. Will he please put his supplementary question?

Mr. Owen Roberts : This is a supplementary question.

The Honourable Dr. Gokul Chand Narang : Everyting that is necessary to consider to arrive at a proper decision in the case will be considered.

Mian Nurullah : May I inquire whether that gentleman was elected unanimously or by a majority?

The Honourable Dr. Gokul Chand Narang : I have no formal information up to this time but the honourable member must be aware of press reports.

Mian Nurullah : May I know whether the reference to his previous record is to his record in the service of the committee or even earlier?

The Honourable Dr. Gokul Chand Narang : I cannot say, but probably the reference is to his record as an officer of the committee.

Mr. President : Order order. The one hour available for questions is over.

Chaudhri Allah Dad Khan : Will you, Sir, allow supplementary questions on this very question on the next day?

Mr. President : But if the House has no objection to extend the time by a few minutes, I will allow the supplementary questions to go on now.

(House expressed its willingness to continue the supplementary questions).

Mian Nurullah : This gentleman's work as a taxation officer has been referred to, may I know whether any explanation was called for?

The Honourable Dr. Gokul Chand Narang : That question has already been answered.

Shaikh Muhammad Sadiq : Is it a fact that Sir Zafar Ali has definitely stated that this paragraph relating to the taxation department does not relate to Agha Safdar personally and that it was never meant for him.

The Honourable Dr. Gokul Chand Narang : The honourable member must have read Sir Zafar Ali's letter.

Shaikh Muhammad Sadiq : Have you read it?

The Honourable Dr. Gokul Chand Narang : I have read it.

Shaikh Muhammad Sadiq : Will you take into consideration his views as a member of the Committee at the time of formulating your own views ?

The Honourable Dr. Gokul Chand Narang : I hope so.

Shaikh Muhammad Sadiq : Have you made up your mind or not ?

The Honourable Dr. Gokul Chand Narang : The case has not come before me.

Shaikh Muhammad Sadiq : Why did you not say so earlier ?

(Voices from official benches ; He did).

Dr. (Mrs.) M. C. Shave : Will the Honourable Minister please say if it is a fact that although there were numerous applications for the post of Municipal Secretary from people with many qualifications the only names that came up before the general committee were those of an ex-municipal employee and a Municipal Commissioner ?

Mr. President : The question is irrelevant.

The Honourable Dr. Gokul Chand Narang : In any case I require notice of that question.

Chaudhri Allah Dad Khan : Will the Honourable Minister please state when a member of the Commission has absolved the gentleman from the defects of the Taxation Department why did the Commissioner refuse his appointment ?

The Honourable Dr. Gokul Chand Narang : This question should be really put to the Commissioner. The reasons for withholding assent have already been given.

Mr. President : Sir Zafar Ali's letter appeared long after the Commissioner's order was passed.

Chaudhri Allah Dad Khan : Why has not the Minister cancelled the order after coming to know of the letter written by Sir Zafar Ali ?

Mr. President : He has answered that the matter is yet under consideration and that he has not seen the file.

The Honourable Dr. Gokul Chand Narang : The question simply was what reasons the Commissioner had for refusing his approval and those reasons have already been given to the House.

Chaudhri Allah Dad Khan : Those reasons have been found to be false.

Main Nurullah : The House might like to know the recommendations of the Deputy Commissioner of the district.

The Honourable Dr. Gokul Chand Narang : I shall require notice for this question. I have not got the recommendations of the Deputy Commissioner here.

Chaudhri Allah Dad Khan : What was the purport of the resolution of the Committee passed unanimously ? Did they say that the officer was very competent and honest and was up to the mark ?

The Honourable Dr. Gokul Chand Narang : If the honourable member gives notice I shall try to obtain the necessary information.

Chaudhri Allah Dad Khan : You cannot say that the case has not come to your notice, because, you have prepared the case.

The Honourable Dr. Gokul Chand Narang : No answer to any of the supplementary questions put in this House was ever prepared by me nor was any question even anticipated ; all that I thought was that some supplementary questions might be asked.

Chaudhri Allah Dad Khan : What is your opinion ?

Mr. President : A question asking for an expression of opinion cannot be allowed.

Mr. Muhammad Din Malak : The Commissioner of Lahore division had sanctioned the appointment of Agha Safdar up to the 31st of July 1933 and as I now understand the Ministry has yet to consider the question, will the Honourable Minister please state whether his services will be terminated forthwith after the expiry of the time or whether this period will be extended ?

The Honourable Dr. Gokul Chand Narang : Does that arise from the answer to the question ?

Mr. President : I think in view of the answers given and the fact that the matter is under consideration of the Ministry and the Commissioner has fixed 31st of the current month as the day by which his services would be terminated, this question is relevant.

The Honourable Dr. Gokul Chand Narang : I should have been given notice.

Mr. Muhammad Din Malak : There are only a few days left till the 31st of July. I should like to know if the Honourable Minister has received any recommendation or representation on the second resolution passed by the Committee asking the Commissioner to reconsider his decision, whether there has been any recommendation by the Commissioner or whether the Commissioner is going to dispose it of himself.

Mr. President : The honourable member has linked two questions. The first is whether the Honourable Minister has received any representation of the municipal committee and the second is whether he is going to decide or the Commissioner ?

The Honourable Dr. Gokul Chand Narang : Not so far.

Mr. Muhammad Din Malak : Will the Honourable Minister kindly instruct the Commissioner that, in view of the fact that the previous Commissioner had sanctioned the appointment of Agha Safdar up to the 31st of July only and of the fact that the Ministry will require some time to give due consideration to this matter, the time should be extended ?

The Honourable Dr. Gokul Chand Narang : Action is being taken in this connection.

Mian Nuruallah : May I know if the previous record was considered when the extension was given up to 31st of July by the previous Commissioner ?

The Honourable Dr. Gokul Chand Narang : I require notice.

UNSTARRED QUESTIONS AND ANSWERS.

ELECTION PETITIONS IN SONEPAT MUNICIPALITY.

665. Khwaja Muhammad Eusoof : Will the Honourable Minister for Local-Self-Government please state—

- (a) whether it is a fact that in August 1931 election petitions in respect of wards Nos. 2 and 3 of the Sonapat municipality were instituted;
- (b) if so, with what result;
- (c) whether it is a fact that both election petitions were identical in their nature;
- (d) whether it is a fact that the decision in the election petition relating to ward No. 2 was quite opposed to the decision in the election petition relating to ward No. 3;
- (e) whether it is a fact that the Commissioner, Ambala division, referred both the decisions to the District Judge, Karnal, and the latter disapproved of the decision in the election petition relating to ward No. 3;
- (f) whether it is a fact that the District Judge also upheld the decision in the election petition relating to ward No. 2;
- (g) whether Government will be prepared to reconsider these findings, if not, why not;
- (h) whether it is a fact that the Ministry of Local Self-Government upheld the decision which the District Judge had found to be wrong and has ordered a fresh election in ward No. 2?

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

(b) The honourable member is referred to the reply given to parts (b) to (g) of Council question No. 2033¹ (starred). The Commissioner has since passed orders referred to in the reply to part (g) of the said question.

(c) In both cases, the issues struck by the Commission were identical.

(d) to (f). The honourable member is referred to the reply given to parts (c) to (e) of Council question No. 2033¹ (starred). The honourable member has apparently mixed up the references towards Nos. 2 and 3.

(g) No. The honourable member is referred to the reply given to part (f) of Council question No. 2033¹ (starred).

(h) The honourable member is referred to the reply given to parts (f) and (g) of Council question No. 2033¹ (starred). The honourable member is probably referring to ward No. 3. If a bye-election has been ordered for it, this has been done by the Commissioner, who is competent to issue such an order.

666. Cancelled.

667. Cancelled.

BROADCASTING IN RURAL INDIA.

668. Mr. E. Maya Das : Will the Honourable Revenue Member please state whether the attention of the Government has been drawn to the booklet " A Scheme for Broadcasting in Rural India " issued by the Indian Village Welfare Association, 4 Great Smith Street, Westminster, S. W. 1 ; if so, what action Government proposes to take in the matter ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Yes. The matter is under examination.

OFFICIAL RECEIVERS.

669. Sardar Sahib Sardar Ujjal Singh : Will the Honourable Finance Member kindly state—

- (a) the total strength of official receivers in the Punjab ;
- (b) the relative communal strength of the three, communities, *viz.*, Hindus, Muhammadans and Sikhs ;
- (c) whether it is a fact, that there is not a single Sikh official receiver throughout the Punjab ; the only incumbent having been lately removed ;
- (d) whether it is a fact that there are two vacancies at present to be filled up ;
- (e) if so, whether the Government intend to consider the claim of the Sikh community in respect of these vacancies ?

The Honourable Sir Henry Craik : (a) 18.

(b) The honourable member is referred to page 73 of the census Report 1931, Volume XVII-Punjab Part II.

- (c) No.
- (d) There is at present one vacancy only.
- (e) Their claims along with those of others will be borne in mind when an appointment is made.

PUNJAB TEXT BOOK COMMITTEE.

670. Chaudhri Nathwa Singh : Will the Honourable Minister for Education kindly state—

- (a) whether it is a fact that the English Sub-Committee of the Punjab Text Book Committee, Lahore, at its meeting held on the 29th May 1938, took into consideration a large number of books submitted by various publishers ;
- (b) whether these books included a set of English readers submitted by Messrs. Uttar Chand Kapur & Sons, Lahore ;
- (c) whether the Sub-Committee after having fully considered the books rejected them ;
- (d) whether the publishers of these readers submitted a representation to the Director of Public Instruction against the Sub-Committee's decision ;

- (e) whether the Text-Book Committee at its general meeting held on 29th June 1933, rejected this representation ;
- (f) whether at the time this representation was rejected the Director of Public Instruction was presiding over the meeting ;
- (g) whether these books were again taken into consideration immediately after the Director of Public Instruction had left the meeting, and approved as text-books ;
- (h) whether the number of books rejected by the Sub-Committee held on the 29th May exceeded 60 ;
- (i) the special circumstances which compelled to pick out, while endorsing the Sub-Committee's decision in the case of 59 books, this particular series of readers, namely " The Modern English Readers " out of the 60 books rejected by the Sub-Committee and to approve it in disregard of the recommendation of the Sub-Committee ;
- (j) the reasons why the books were not referred back to the Sub-Committee for recommendation ;
- (k) the reason why fresh reviews were not obtained ;
- (l) what action he intends taking in the matter, giving reasons why such a gross irregularity in the observance of the Committee's rules of procedure has been permitted to take place ;
- (m) whether he intends to issue instructions to the Director of Public Instruction asking him not to give his assent to the Text-Book Committee's recommendation till the books have been again referred back to the Sub-Committee and fresh reviews obtained ?

The Honourable Malik Sir Firoz Khan Noon : I regret that reply to this question is not ready. It will be supplied to the honourable member when ready.

KHAN BAHADUR SHAIKH NUR ELAHI'S LITERARY WORKS.

671. Chaudhri Nathwa Singh : (i) Will the Honourable Minister for Education be pleased to state whether it is a fact that on the 8th March 1930 in reply to a question put by Lala Gopal Das, the then Honourable Minister for Education laid on the table a statement showing that Khan Bahadur Shaikh Nur Elahi at that time Inspector of Schools, Lahore division, had compiled scores of text and library books ;

(ii) Will the Honourable Minister kindly lay on the table a statement giving names of schools in the Punjab in which Khan Bahadur Shaikh Nur Elahi's books are being used as text-books and as prizes and library books ; and state the reasons why the books of Khan Bahadur Shaikh Nur Elahi, Assistant Director of Public Instruction, are prescribed by the headmasters in preference to other books ;

(iii) Will he kindly state whether Government is ready to hold an enquiry and receive evidence to find out the reasons ?

The Honourable Malik Sir Firoz Khan Noon : (1) The honourable member is referred to the Council proceedings for the 8th of March, 1930.

(2) The Honourable Member will be interested to know that Khan Bahadur Sheikh Nur Elahi has no living interest in the sale of any of the Text books taught in any of the schools in the Punjab. He receives no royalties on their sales. Consequently there seems no object in collecting the information as suggested in this question.

(3) Does not arise.

REFERENCE TO THE LATE MAULVI IMAM-UD-DIN.

Mr. President : Gentlemen, you might have read in newspapers that Maulvi Imam-ud-Din, one of the honourable members of this House, died a few weeks ago. Is it your pleasure that I direct the Secretary on behalf of the House to communicate a message of sympathy and condolence to the bereaved family of the deceased ?

(The House signified its assent!)

RESOLUTIONS.

RAILWAY FREIGHTS—*concl'd.*

Shaikh Muhammad Sadiq (Amritsar city, Muhammadan, Urban) : Yesterday I was trying to show that the railways in this country, in the Punjab in particular, the North-Western Railway, is not working at a loss. In fact they are making more profit than perhaps any railway outside India. If the Government were to separate the working of the strategic railways and also the white elephant-like line, I mean the Kalka Simla Railway which has been foisted on the North-Western Railway and which is not paying even one-half or one-quarter per cent. we would find that the North-Western Railway is earning from 6 to 7 per cent. income which is quite a high sum for any commercial enterprise in these years of depression. If the Government of India would rightly place the burden of the strategic lines on the military department and not try to show that the railway does not earn any profit, we will find that there is every justification for us to press that the freight should be lowered. The Railway Board and the Government of India are working on the lines of the old proverb of killing the goose that lays the golden eggs. How can the Government of India get their customs revenue, and their revenue from railways if the people of the Punjab have no surplus money by selling their products outside the province ? How are the people of the Punjab going to utilise their surplus produce ? The urban area cannot consume all the wheat of the province. If it cannot be sold outside, the only alternatives are either you should burn the surplus or allow it to rot or not to sow at all. To make it profitable for the poor peasant to sow wheat and work on it all the year round and finally not to enable him to sell it is useless. The only wise course is to make it easy for the peasant to bring the produce within the reach of the outside country. Australia, in spite of the depression, is selling lakhs of tons of wheat to the outside world. Germany wants cheap wheat ; England wants it. In fact there are many other countries which would buy Indian wheat. But

because of the railway freight which the Indian Government would not see its way to lower the wheat of the Punjab cannot see its way out. My honourable friend Sir Henry Craik is shaking his head. I wish he were right. But unfortunately he is wrong, absolutely wrong. It has been the policy of the Government all along, as has been shown by my honourable friend, Mr. Puri, to assist imports from outside and to discourage exports.

The Honourable Sir Henry Craik : On a point of personal explanation. May I assure the honourable member that I shook my head not to indicate that I have no sympathy with the terms of the resolution, that is certainly not the case. I shook my head because the honourable member suggested that the Punjab wheat was not exported to England and other countries because the freights were too heavy. That is not the reason why our wheat is not exported to other countries.

Shaikh Muhammad Sadiq : I quite see that there is more than one reason. First the freight, then the exchange and the third the world depression. I agree with the honourable member that the freight is not the sole reason. But it is one important reason.

The Honourable Sir Henry Craik : If the honourable member will allow me to develop my argument—

Mr. President : Has the honourable member finished ?

The Honourable Sir Henry Craik : I have not. I was not allowed to finish.

Shaikh Muhammad Sadiq : I do not want to give way.

Mr. President : The honourable member says that he has been misunderstood. It is only fair, therefore, that he should be allowed to offer an explanation.

Shaikh Muhammad Sadiq : I withdraw his shaking of the head. I did not say that he shook his head at all.

The Honourable Sir Henry Craik : The reason is that India is off the world parity. The Punjab wheat is in price far above the world parity. That is why it is not exported.

Shaikh Muhammad Sadiq : All the reasons that I have mentioned are at work, the exchange policy, the world prices and the railway freight. The Railway Board is acting just like a doctor who at a critical hour hesitates whether he should administer a costly medicine to save his patient. The Punjab peasant is trying hard to export his surplus wheat and the Railway Board is looking at the profit and loss and enquires what it will cost to administer the medicine. In a country which is governed for the good of its people such a thing would not happen. It has been shown that the Australian Government suffers a loss of 13 crores of rupees every year in order to bring its wheat to outside markets. My honourable friend says that the parity of price of Indian wheat is higher. Why is it so ? Why should it be higher in India ? For the simple reason that people do not find it profitable to grow wheat. How can they find it profitable when they have to sell it at Rs. 1-4-0 a maund ? I challenge the Honourable Finance Member to show any period when the price had fallen so low as that. Even the price of seed used to be more than that. The position is this. In one year if one peasant sows wheat, finding it profitable, all are found to sow

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wheat. As a result the price goes down. The next year the peasant turns to cotton and the same thing happens in regard to cotton. Thus the Punjab peasant is going alternately from wheat to cotton helplessly and hopelessly. The result is every produce of his goes down in price. I ask my honourable friend, the Honourable Finance Member, to urge strongly on the Government of India that it is imperative for the people of the Punjab, it is imperative for the Government of the Punjab if it is to carry on its Government properly and if there should be peace in the province, that they should use their influence towards reducing the railway freights. Of course the other question though closely connected does not come within the scope of this resolution. I mean the exchange ratio. That is the main reason which has led to the present position. But unfortunately as we have not been allowed to discuss it, we have to look at only one side of the matter and not at all sides. The exchange ratio *plus* the railway freight *plus* the world situation are killing the Punjab wheat industry.

I press upon the Government that this is not a question to be taken lightly. The Punjab Government should get its revenue for future years from the people of the Punjab. How will it be possible unless Punjab is able to sell its wheat to the outside world and bring more money into the province? No sale, no buyer. There is an old Punjabee proverb which says that even a well gets empty when you go on taking water out of it. If the Punjab cannot sell its wheat in outside markets, are the urban areas of the province to consume all the produce? Is the revenue to come entirely from the urban area? How can Manchester sell its goods to India, how can the British Government, Mr. Churchill and all British politicians who want to increase the trade with India achieve that object unless the people of the Punjab have money to buy their goods and unless that money comes from outside? India is not in the same position as America and other countries which have invested in foreign countries. England, China, Japan, America have all got their foreign investments. If the world parity goes wrong and if England for instance cannot send her goods abroad, she has sufficient resources to fall back upon. The money that goes to England as pensions, the cost of railway materials sold to India, the interest from investments in China and elsewhere would be enough to carry on the government of the country for some years. But it has been admitted by Sir Samuel Hoare himself that the difficulty with regard to India is where the money is to come from. The last reserve of the Punjab zamindar was the gold which he had in the shape of ornaments. Now every officer of Government knows that the *chura* which the village woman possessed as her only ornament left has now got to be sold.

Mr. President : Will the honourable member please speak to the motion?

Shaikh Muhammad Sadiq : I am only showing what the plight of Punjab would be in a year or two with every bit of reserve gone when Government will not be able to get a pie of revenue despite the glowing tribute which His Excellency rightly paid to the peasants of the Punjab. But there is a limit to everything. The last reserve has now gone and there is nothing between bankruptcy and the Punjab zamindar. It is all

very well for Government to say to the zamindar, "you are a good boy and you will pay your dues." But when there is absolutely no money, how is he going to pay his revenue? He has no gold but his wheat is there. Will the Punjab Government say "we will take a third of your produce for the money?" No, they refuse to do so. They will have money and nothing but money. Even if the peasant gets only Rs. 2 per acre or gets as much as Rs. 20 it does not matter to them. Up to this time the zamindar had the money. The position is really serious. The Government of India is doing just what Nero is said to have been doing, that is, that he was playing on the harp while Rome was burning. Looking at the tributes paid to the Punjab peasant by the Punjab Government they conclude that all is right with him and that he will go on paying the revenue. It is a false position in which it would be placing itself if the Government of the Punjab were to produce the impression on the Government of India that all is well in the province. The Punjab Government should bring to the notice of the Government of India that the last resource of the zamindar is gone and that the position is imminent when the Jat will say to Government, here is my wheat, I cannot sell it, I cannot transport it, the rates are high. Take it. I would therefore advise the Punjab Government to take up the matter seriously and press it on the attention of the Government of India as if a rebellion was on the point of breaking out, as if some no-rent campaign was likely to arise. The situation is indeed worse than that. Selling inside the Punjab is by no means enough and unless we request the Government of India to take the situation in no light mood we would be as was said yesterday leaving for the new system of Government a legacy of bloodshed and a refusal on the part of the peasants to pay their dues.

I do not want to be very long. I have got no statistics with me but the figures quoted by my honourable friend, Mr. Puri, clearly show that day by day the position is worsening. It is for the Government in the interests of the safety and peace of the province to awaken. As they have been getting money in the past they should not comfort themselves in the thought that everything is right but they should press that the position is becoming intolerable and that the day is coming when if the Government of India does not move, the Punjab Government would force them to move by virtue of the power that would soon be exercised by them amongst other things to reduce freights.

Sardar Sahib Sardar Ujjal Singh (Sikh, Urban): Sir, I give my whole-hearted support to the resolution under discussion. Railways being an all-India subject, it is very unfortunate that no member of the railway nor an expert officer who is able to enlighten us on the subject is present in this House. But I do hope that whatever criticism is levelled here will be brought to the notice of the railway authorities and will be fully considered by them. We are undoubtedly fortified by the fact that our local Government has been very sympathetic in this matter and but for their timely help last time it would not have been possible to reduce the freight to Karachi and to Calcutta on wheat when the peasant very badly needed that reduction. The matter was very exhaustively discussed last time in this Council by my honourable friend, Mr. Owen Roberts and I hope he will place all the facts and figures before the House again. So far as we in this province are concerned,

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the matter of railway freight is of such vital importance as to compel us to ventilate our grievance on the floor of this House. The feeling in this province is that railways are being worked and run without any regard to the interests of the agriculturist. As a matter of fact, we feel that they are not being run even on commercial lines and as a public utility concern they are not being run in the interests of the public. In the first instance

11 A.M. traffic is being diverted daily for short distances from railways to motor lorries. The railways are watching every day that goods are being carried up to a distance of 100 or even 200 miles by motor lorries and still the railway authorities are sitting idle, watching indifferently without making any reduction in railway freight. As a matter of fact, fruits have been carried from Sargodha to Delhi but still the railway authorities have not done anything to avert that loss. For long distances commodities are being carried by steamships. For example, from the Punjab markets wheat is being carried to Calcutta not by railway direct but from Karachi by steamships to Calcutta covering a distance of nearly 4,000 miles. If the railways had realised the loss that accrues to them on this account and had they realised their duty as a commercial concern they would have certainly made a reduction in railway freights and would not have allowed goods to be carried *via* Karachi to Calcutta or by lorries from town to town.

Then again the railway freight on the North-Western Railway is slightly higher than the rates on other railways. It was pointed out last time by Mr. Owen Roberts quoting at great length from that authority—Mr. Srinivasan, once the Secretary of the Railway Advisory Rates Committee—that the minimum rate on the North-Western Railway for grains is 1155 per maund per mile for 400 miles or above, whereas on the East India Railway it is 1000 per maund per mile for a distance of over 300 miles. This high rate very adversely affects us in this province. Situated as we are in one corner of India we are more adversely affected as we have got to send our produce for sale into different parts of India and on account of heavy freight it is not possible for us to sell our goods at a reasonable rate or at any rate we are not able to get a fair price for our commodities. Besides, the through rate does not work in the interest of the agriculturist or the trader. The railways have got different rates up to a certain distance and the longer the distance the smaller the rate. But when goods have to be carried from one railway to another as they are to be carried in the case of wheat or other grains to Calcutta the rate is calculated on the North-Western Railway for the distance it is carried on the North-Western Railway and on the East Indian Railway for the distance it is carried on the East Indian Railway. So the agriculturist or the trader does not get the benefit of through rate. While quoting the same authority it was shown beyond doubt that whereas by this calculation the agriculturist or the trader had to pay Re. 1-2-7 of freight from Amritsar to Calcutta, if through rate had been allowed he would have had to pay only Re. 0-14-4, that is, a difference of four annas per maund which in some districts and in some places would have been enough to meet the revenue demands of the Government. That is the reason why we in this province suffer more than the people in other provinces and if rates

are reduced and brought to a reasonable level and if this concession of through rate is also allowed then the agriculturist will be immensely benefited.

Then, as I said before, the railways are not being worked as a public utility concern in the interest of the public. The memorandum prepared by the Zamindars Association shows that the railway freights since the war have gone up from 20 per cent. in the case of wheat to 100 per cent. in the case of cotton. But the prices of commodities now have fallen and have come to the pre-war level. In spite of that fact the railway does not see its way to reduce the freight. In fact even when we were faced with a heavy fall in prices last year and the year before last, and the price of wheat had gone down to such an extent as to make the position of the zamindar intolerable, the railway authorities did not come to the rescue of the zamindar without a stubborn fight put up by our local Government. Had the railways realised their duty as a public concern, they would have certainly reduced the rates without the interference of the local Government. The railway authorities should at the same time realise that if the freights are reduced to a reasonable level it has the effect of stimulating movements of commodities and the railways therefore do not suffer. It is not for us here to criticise the railway policy in general or the heavy expenditure involved on the staff or the money they lavishly spend on building new palatial railway stations like Lucknow and Cawnpore, but certainly as taxpayers we have a right to ask from them why they should spend money so extravagantly instead of coming to the help of the poor agriculturist. It is their duty when the country is passing through such an acute depression that they should help the agriculturist and the public at large. In doing so they will not only be serving the interests of the public but they will be serving their own interests. As I have pointed out, with the reduction of freights the movement of commodities and the movement of trade will be stimulated and the goods that are lying in one corner will be offered for sale, and the railway will be the gainers thereby. Besides, the traffic that is now being diverted from railways to motor lorries or to steamships from Karachi to Calcutta will not be diverted to those means of communication and will be carried by rail to their destination. With these few words I support the resolution.

Mr. Owen Roberts (Non-official nominated): Sir, I support the resolution moved by my honourable friend. The terms in which the resolution is presented to us makes the debate of a very different character to previous debates on the subject, because it has been presented to us in the most general terms—"the schedule of railway freights is extremely detrimental to the interest of this province in general and the agriculturist in particular—" and for this reason it is impossible to attempt to deal with it in detail. If I did so, it would involve going into the whole classification of goods, a classification which covers every conceivable article. The alternative open to us is to deal with the matter on principle and also not to overlook those who are responsible for this policy. These are the two main lines on which it is possible to approach this subject.

Before I go into my subject, I would like to set right certain matters that were mentioned yesterday. My honourable friend the member for Industries took up the rates of freight on wheat and wheat flour and also on

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unmanufactured rubber—I think he called it crude rubber—and manufactured rubber. By a coincidence he has struck on two classifications of rates which, if the application of one principle is applied to them directly contradict each other. I will quote one recognised principle of rate making. I am reading from a well recognised authority "The Principles of Rail road Transportation" by Johnson and Van Metre.

Another basis for freight transportation charges may be found in the value of the commodities to the shipper. It would be theoretically possible to construct a schedule of rates by fixing the charges.....with regard primarily to the absolute and relative values of the articles carried, and there are some reasons why this would be desirable.

Later on it says :

The policy of charging higher rates upon valuable commodities than those of less worth is not to be condemned, but rather to be commended.

On a reference to the classification that apply in the case of wheat and wheat flour it will be found that they observe this rule. Flour is carried under schedule II and wheat under schedule I. I am quoting from the North-Western Railway Goods Tariffs and these calculations apply to all railways.

Mr. Mukand Lal Puri : What about the rates on the East Indian Railway ?

Mr. Owen Roberts : The classification does not differ. It is the same for all railways.

Turning to rubber, I find that crude rubber is put into classification 8 and manufactured rubber into classification 6. Under classification 8 the rate is higher than under classification 6, and we have the anomaly of a more valuable article being classified more cheaply than a less valuable article. This is in direct contradiction of the principle I have read out. But the first person to admit that the general classification of goods contains anomalies is the railway man and I have never brought a case before them that could not be explained away on this ground. There may be some special reason in the case of rubber and the matter is one which I will bring up before the Lahore Advisory Committee and I have no doubt that an answer will be forthcoming that will satisfy my honourable friend.

He also suggested that we should have a standing committee to deal with this subject. I think he suggested that the Director of Industries should be a member as also the Financial Commissioners. I agree with my friend in principle and while I do not give way to him in my admiration for these officers, I am bound to say that a committee so constituted would be wholly unsuitable to our needs. It is not a matter of tacking on something extra to somebody's job who has already got as much to do as he can do. I will deal with this point later on. It seems to me that the whole secret of our difficulties in this matter is the need for an independent committee to control this subject.

There is another point on which my honourable friend committed himself to a statement and that is on the subject of exportable surpluses. He made a statement based on some figures contained in a Government of India publication which if allowed to stand and if it were made a principle of

the settlement of railway freights that we are seeking, would do this province incalculable harm. My friend should have taken into consideration along with the figures of exports in those years, the figures of production for a long series of years; and he should also have given weightage to the production of other food crops. I had recently occasion to examine the matter, closely although it is one that is constantly before me, and I expressed the opinion that a resumption of exports from India may most reasonably be expected in the course of the next year or two. For that reason it is very necessary that in making a settlement of railway freights which we hope to get, this point must not be overlooked. It is a point of vital importance to this province.

Though I do not agree with my honourable friend on that matter I must nevertheless congratulate him on his ingenuity. I do hope that the Honourable Finance Member, if he finds time to write the letter that he was adjured to write yesterday will not treat the reply that he gets as a secret between himself and his colleagues on the bench they jointly occupy, but that he will also allow us to share it.

Coming to my subject, it has been a constant matter of wonder to me for the last twenty years as to how it is possible for a great organisation styling itself a public service to carry on day after day, week after week, month after month and year after year steadfastly refusing to take any notice of public opinion. Yesterday His Excellency referred to the Council as the mirror of public opinion. This Council passed a resolution which the Local Government made the basis of a representation to the Government of India, in other words, the Railway Board. I believe I am correct in saying that although more than twelve months have now passed we have not yet had an answer. This goes beyond ignoring public opinion. It amounts to this that even when public opinion is brought into sharp focus and delivered to the Railway Board by a responsible body like a provincial Government that body to-day is apparently under no obligation to notice it. This, Sir, is carrying the principle of independence, departmental independence, to a point which I am sorry to say is intolerable.

While thinking of such a matter as time goes on, one's mind goes through various phases, of annoyance and despair. But one is also eventually forced to seek some reason for it. In trying to find a solution, it is necessary to analyse those cases which appear to go to the root of this difficulty. I have come to the conclusion that the attitude of the Railway Board is merely symptomatic of an indifference to public opinion peculiar to the Government of India. Resolutions are passed by the powers that be without consulting us, resolutions which affect us vitally and which affect our day to day interests. We are not even consulted. This is the root difficulty that we have to deal with, and I hope at a later stage to offer the Council a constructive suggestion for dealing with it. Before I reach that stage I must make a reference to a previous debate in the Council. On that occasion speaking from these benches I dealt with the railway freights from a rather narrow point of view of their effect on food grains. In this connection I think since our interests are so vitally on this point I may be permitted to say a few words in further explanation. His Excellency the Governor yesterday in addressing us referred to the all-round improvement

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of prospects and said that some degree of prosperity was in sight. As a general statement one can find no fault with it. But when we come to co-relate the promise of prosperity with agricultural prospects by the Punjab we must make allowances for large modifying factors. In the matter of foreign export, for example, it is common knowledge, through the Press that other nations who are producing wheat have now definitely refused to restrict their areas. That means that the competition of other producing nations for the custom of the buying nations will be as keen or keener than ever. Then again, I must mention in passing the disadvantage that the exchange imposes on us. This disadvantage we have got to face. But it is not a disadvantage to us only. It is a disadvantage to many other nations. On this point I ask the honourable members to remember one thing, and that is, that there is a great deal to be said for stability of exchange. It is better to know where you are on exchange questions, even if you have to pay a price for the knowledge than to find yourself committed to a blind gamble, in which you are obliged to buy the funds you need at a disadvantage from those whose business it is to do as well as possible out of you. If these are the disadvantages that face us outside of India, we have disadvantages to overcome in the Punjab itself. We have first to consider a very serious situation from the point of view of competition that has been created by the increased areas under wheat in Sind. This is important from two points of view that of the agriculturist and the Railway. In the first place the average lead from Sind to Karachi is 250 miles, and the average lead for wheat from the Punjab to Karachi is 750 miles ; so that, there is a disadvantage of 500 miles in freight, and whatever may be done to make that disadvantage good, some of it is bound to remain. This is not only a disadvantage to us, but it has created a very big complicated problem for railways. They now must try to devise a scale of freights which if they are not to show a heavy loss to railway revenues must be so balanced as to obtain from heavy short distance traffic sufficient revenue to make good a loss on adjusted freights from long distance traffic. I have reason to believe that the problem is receiving the attention, if not of the Railway Board, certainly of the North-Western Railway. I have been a critic of Railways, but here I must make an acknowledgment. I think that a new spirit is stirring the waters. Quite recently the North-Western Railway at the invitation of this Government sent an officer up to Simla to talk over the whole situation with the provincial authorities. That is a step very definitely in the right direction and I hope it will give us a foundation of a system where railways will realise that their best interests are served through consultation with the province.

It would give me great pleasure to sit down at this stage. But unfortunately in the public interests it is more than I can do ; because just as we provide our own officials with the garments of State which they donned yesterday with so much effect to add dignity to a great occasion, so I have a feeling that when a man is appointed to the Railway Board he is issued with an invisible cloak of complacency ; and if I were to stop at this point I feel that the result would be that they would draw these cloaks closer around them and the turrets from which we here are separated by the

towers of Gorton Castle, would become more unassailable than ever. This is the last thing we want.

Yesterday His Excellency the Governor while addressing us made reference to the economies which we as a province were compelled to go through not only as a province but as individuals during a period of great distress. Now, Sir, during this period of distress and the few years preceding it, has the railway a history of economical management to present to us? If so, where is it? Is it to be found in the Publicity Board for which I believe the expenditure reached 12 lakhs of rupees a year and out of which I am pleased to say I got a penknife? (*Interruption*). My honourable friend opposite says he got three! It is not for us to look a gift horse in the mouth, but looked at through the spectacles of a province groaning under distress 12 lakhs rupees is a large sum to be spent on gifts.

Then again my honourable friend Sardar Ujjal Singh made a reference to the grandiose building schemes that resulted in the flamboyant stations of Lucknow and Cawnpore. Is this how economy was effected? Was it through these means that they expected to find relief for their distressed clients? I think these are fair questions to ask. We have to bear in mind that we get no reply to our reasoned representations and as we have had no reply so far, we are entitled to widen the circle of our criticisms. In the days of our prosperity the railways increased our rates; what have they given us in return in the days of our distress? They may suggest to us that we ought to study the habits of the ant and that we should make provision in days of prosperity for the days of distress. In this connection I will, with your permission, read to the Council the statements of two trained observers who have spent a great deal of their lives in this province on this same subject of our prosperity. The first extract that I will read to you is from "The Punjab of To-day" by Hugh Kennedy Trevaskis whom we all remember in this province. Speaking of the history of the province he says—

Agriculture was the essential industry of a land-locked province, which suffered from the disadvantage of being bounded on three sides by countries that offered no market for its products. Thus the development of communications which followed on the introduction of British rule could only open up the Punjab to the products of outside industry, and could not develop the industry or the through trade of this Ultima Thule of the Indian commercial zone. Thus industry and commerce stagnated, and the capital which rapidly accumulated with the increasing prosperity of agriculture could find no outlet except in the economically unproductive fields of litigation and money-lending and at the expense of agriculture.

The next is from "India on Trial" by an ex-Governor of the province, Sir Edward Maclagan. He is quoted as having written:—

The tide of wealth that has been flowing into the Punjab for the last thirty or forty years continues to pass through the hands of the many, who have earned it by their toil, into the hands of the few, who acquire and retain it by their wit.

You will notice that both authorities are agreed upon one point or rather two points and those two points are that wealth has flowed into the province but it has not gone into the pockets of those who toiled for it. I would ask the Railway Board whether in the day of reckoning they will take pride

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in the fact that having taken our money when we were prosperous their refusal to assist us in a period of grave distress places them in the class of those whom Sir Edward Maclagan has designed as having the wit to acquire and retain money. If they are proud of that position, well, let us make them a present of it.

I have made the statement that this particular trouble is symptomatic and it appears to me that before I can establish the point I must produce other cases of a similar sort. I do not think there will be any difficulty in producing cases, but I prefer to take a ready made case presented to us in resolution No. 1 of yesterday's list of business which unfortunately was not moved. I am only making a reference to this resolution in order to bring out two points. One is the helplessness of this province in such matter illustrated by the one remedy open to us and the other the fact that decisions of this kind are made without even consulting us. The trouble in this resolution is that a duty has been imposed on the import of cotton goods and it is feared that it may have an unfortunate reflex action on the export of cotton. I do not enter into the merits of the question but ask myself what we can do about it as a province. We could ask the local government to write a letter just as we asked them to write one in the case of the railways. In the course of that letter we might say we were not consulted before this decision was made and we might also reasonably ask some questions. We might enquire whether the implications involved in the decision and their possible effect on the market for raw cotton were given due weight. If that were so, was any guarantee taken from the Indian and British mill industries on the subject of absorbing Indian cotton products? We can ask these questions very reasonably and to them we might add the usual pleadings and these might be, that we are in any case a poor people and serve the land, that we have passed through and have not even yet emerged from the greatest economic depression within living memory. We might go on to say that in any case we are a deserving folk; we have done our duty to the State as no other province has and even in these hard times we have maintained our administration unimpaired. We might finally urge that after all a mill-owner can close his mill and wait for better times, whereas we cannot either from our own needs or even in his interests lay aside our ploughs. Having written this letter at our wish Government can commit it to the care of the post office. What can we do next? We can sit down and wait for a reply that may never come just as we are doing in the case of our representations to the railway. That is the sum total of our position. What is the remedy? What remedy have we? I can see no remedy except one and that is to take away from these departments the right of final decisions and in the case of public utility services vest those decisions in Public Utility Commissions. I dealt with this matter in a previous debate. But it is so important that I venture once more to bring it before the Council and to read to them certain extracts to which I drew attention before. The whole object, the whole purpose of the Public Utility Commission is to relieve public department of the tremendous responsibility of making final decisions in cases where their opinions differ very materially from public opinion. I will read to you from the same authority as I quoted

previously—Johnson and Van Metre—something of what is said on the subject of these Commissions in the United States of America :—

One important feature of the legislation that has been passed in recent years has been to place under the jurisdiction of the commissions not only railroad companies but many other public utility corporations, such as street railway, gas, electric, water, warehouse, telegraph, and telephone companies, in fact all companies which are engaged in supplying utilities of a public nature.

And here I think we ought to include the words "public departments." How far the system has spread in America is to be seen from this sentence—

Of the forty-eight States, forty-seven now have commissions with powers to regulate railroads and, in some cases, other public utilities and corporations.

It is no hole and corner organisation favoured by some particular states. It is a universally recognised instrument and I can think of no scheme that would better serve this country than Public Utility Service Commissions, both provincial and inter-provincial. It would ensure that in all those matters which affect our economic life we should at least have a final court of appeal and that we should not be indissolubly bound to decisions in the making of which we have had no part. I do not propose to quote further, but if any member would care to read this book I shall be glad to let him have it and he will find it extremely interesting.

The danger that we are facing to-day in this matter is a very real one. It is a danger that does not affect us alone. It affects every province in India. There may be certain provinces that think that the present arrangements suit them very well and that they have the necessary influence to crib advantages, but that kind of thing cannot last. This province will consent to be placed in the position for all time of being hewers of wood and drawers of water to those now enjoying special privileges. These matters will have to be settled and the sooner the better. The lesson that America has to give us is a very important one. They went through the same struggle with their railways and from 1870 onwards until almost the present day this struggle has been going on until it has been finally decided that the people who use the railways have the right to a voice in the charges to be made from them and in their management. It is all the more important that we should take the matter up at this moment, because there is just now going on in England a discussion on a Statutory Railway Board. It almost frightens me to use the title. What is this Statutory Railway Board going to be? Have we any representatives there while the matter is being discussed? Is it going to be a super-charged model of the present Railway Board? Or will it have still greater powers? and will we be at a still greater disadvantage? So far the worst that we have suffered is that our letters have not been replied to. But will this Statutory Railway Board have the authority to return the letter to the provinces with a request to refund the postage both ways? These are matters which one must think about and think about now. If we get our Provincial Commissions we can face them because we know where the final decision will lie. But we do want to know more about it. Will the final decision in these matters be in our own hands?

I dislike to close my speech on this note. Criticism and adverse criticism is a weapon which neither we nor anybody else can afford to neglect. But alongside of that criticism I would like to convey to the Railway Board one assurance and that is either as individuals or as a province we have one real

[Mr. Owen Roberts.]

ambition only and that is to meet the Railway Board as friends. We want, if possible, to look upon railways as a national asset, something to be proud of and particularly to me as an Englishman they should be something to be proud of. But before we can do this we must be able to regard them as a medium of public service and not as instruments of arbitrary extortion. With these words I support the motion.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member): Sir I have nothing very much to say as I am not in a position to contribute very much to this discussion during the course of which so many honourable members have made lucid speeches and valuable suggestions. All that I can say is that we will as usual have the views of the House and the proceedings conveyed to the authorities concerned. But there are one or two points—or rather allegations made in the course of the debate—to which I should like to refer. In the first place, I consider that it is incorrect and unfair to say that the Railway Board has been altogether unresponsive to our representations and requests. Secondly, I consider that it is equally unfair and unjust on the part of the honourable member for Karnal to accuse the Punjab Government of indifference in the matter of representing the case of this province to the Government of India. If you would allow me to state, very briefly, the action which the Punjab Government has taken during the past two three years, I am sure any misapprehension which might exist regarding these two points will be removed. In January 1931 the Railway Board at our request granted with effect from 1st February 1931 till the end of March 1931, i.e. for six weeks, a rebate of one-third of the freight on all consignments of wheat booked to Calcutta from all stations in the Punjab under a guarantee given by the Punjab Government to recoup the railways in certain circumstances, viz., that if the total imports into Calcutta fell short of a certain figure stipulated by the Railway the Punjab Government would make good the loss due to the introduction of the rebate. Later, in the same year, i.e., 1931, we requested the Government of India that the concessional rates on wheat booked to Calcutta should continue for another three months beyond 31st March 1931. We pointed out that at the time the last concession was given the movements of wheat from the Punjab to Calcutta were in the neighbourhood of 150 tons a week. As a result of the rebate the figures quickly jumped up to 1,500 tons a week and in the last week of March 1931 the exports were not far short of 4,000 tons. In view of these figures the Punjab Government saw no justification for any further guarantee which they had agreed to give when the experiment was originally initiated for a period of six weeks. Honourable members are aware that in spite of the enormous increase in the quantity of wheat exported to Calcutta during the period of this experiment the Punjab Government had to reimburse the Railway the amount equivalent to the rebate allowed.

In March 1931 we addressed the Railway Board with regard to the restoration of the freights on wheat to Karachi to the rates which were in force before the 17th November 1930. Our reasons were that a reduction in freight accelerated the movement of wheat from the Punjab to Karachi;

that no loss was suffered by the railways as it was more than compensated by the increased bookings to Karachi; and that in the event of wheat lying in the Punjab not being exported, further fall in wheat prices in the Punjab appeared inevitable. The Government of India did not agree to our request in the first instance, but on a second representation they agreed and introduced with effect from the 20th June 1931 reduced rates for both wheat and flour booked to Karachi. In September 1931 we again approached the Government of India on the subject. The main point which we stressed was that the whole question of freightage rates be examined by a competent committee with special reference to the general demand by the agricultural community for a lowering of the rates applicable to food grains. The matter, I understand, is still under consideration. The problem is so vast and complex that it must necessarily take time even to consider the methods by which it could best be tackled. We are hoping that the Government of India would be able to come to a definite decision in regard to this matter soon.

You will remember that the matter was once again brought prominently to the notice of the Government by the following resolution in the Punjab Legislative Council which was carried unanimously :—

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.

This resolution was forwarded to the Government of India in May 1933 and was strongly supported by the Punjab Government. In August 1932 we again approached the Government of India in the matter and in so doing drew their attention to the following remark made by the Honourable Finance Member while addressing the Legislative Assembly :—

It is in our opinion, essential that if they (the Railways) have any margin it should be made available for reduction in freights on agricultural products.

You will remember that this declaration was welcomed by Sir Geoffrey deMontmorency and in his address to the Legislative Council he said : "I rejoice in this declaration. I regard it as a very important and valuable statement of policy as far as the interests of this pre-eminently agricultural province are concerned." We informed the Government of India that this declaration was welcomed by the province and we trusted that an early decision will be taken with regard to the various representations made by us. No reply has been received from the Government of India so far, but as I have already said these things take time and we should not be impatient.

I do not think that I need go into any further details with regard to the action which we have hitherto taken. The facts which I have mentioned ought to be sufficient to satisfy the House that Government is in complete harmony and sympathy with the views expressed by non-official members from time to time. (*Hear, hear*). As I have said in the beginning, we will send the proceedings of this debate to the Government of India and again request them to appoint a committee to consider the whole question. I hope that in view of what I have said it would not be necessary to continue the discussion further on this subject. (*Hear, hear*).

Chaudhri Nazir Husain (Gujrat West, Muhammadan, Rural) : Sir, After the brilliant exposition of the case by our honourable friend, Mr. Owen Roberts it is not necessary to speak any more on the subject but the facts that have been placed before us by the Honourable Revenue Member have put the matter in a different light. The Honourable Revenue Member has explained the efforts that the Punjab Government has made to get a solution of this problem and what I have been able to gather from it is that the Railway Board refused to look at this question except as a commercial question.

The Honourable Captain Sardar Sir Sikander Hyat Khan : No. I did not say that.

Chaudhri Nazir Husain : What else was the meaning of asking for a guarantee from the Punjab Government that in case the Railway incurred any loss on the reduction of freight the Punjab Government would have to make good that loss? The position is that we in the Punjab look upon this question from a different point of view. The Punjab is the greatest wheat producing province in India. Except for Sind, which is as yet being developed, the only other province that can export wheat is the United Provinces of Agra and Oudh. But the position of the United Provinces is somewhat different. With an area somewhat less than the British Isles they have a population equal to the British Isles and therefore all the wheat that they can grow can be consumed by them. The fact that they are able to export some wheat is merely due to the fact that some of the people in those provinces have taken to other grains as their food stuff. Anyhow the problem for them is not acute. The same will be the case with Sind. There the problem will not be as acute as ours here in the Punjab. Our geographical position is very detrimental. We are far away from the seashore and also our place is in one corner of this vast sub-continent of India and therefore it is absolutely necessary for us that some special facilities are given for the export of the surplus wheat that the Punjab produces. Now Punjab produces more wheat than it can locally consume and unless the producer can find market for this surplus wheat it is impossible for him to make the two ends meet. The economic depression through which we are passing has hit the agriculturists most of all and his condition is even more pitiable on account of the fact that this depression has followed a time of extraordinary prosperity coming close upon the War with the consequence that the agriculturist has raised his standard of living and now he cannot easily go back to his pre-war life of using homespun cloth and living merely on wheat. He has raised his standard of living. He must have better housing, better food, he must educate his children. Under these conditions a proper export market for the Punjab wheat becomes absolutely essential if the Punjab peasant is to be kept contented. This is the argument for asking for low freights for the transport of wheat. The export of wheat can be either to places outside India or to other provinces in India and unless export facilities are given for taking the wheat to the port of Karachi as well as to other places in India the problem of wheat export cannot be solved. What we want is that the lowest possible freight should be charged in regard to the export of wheat to the port of Karachi and to the other provinces of India, meaning thereby that the freight charged should be in no case more than the actual cost to the railway of carrying wheat and in some cases it may be necessary even to charge a lower rate than the actual

cost to the railway because this loss that the railway will incur or the Government of India will incur will be amply repaid by the prosperity of the province and by the contentment of the people of this province. The position appears to me to be fraught with very grave difficulties. The prosperity of

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our province has been due to the success of our irrigation schemes. They have been profitable so far only because there was export market for our products. But with the keen competition in world prices and surplus production in most countries the competition for export markets has become very keen. Unless facilities are given for the export of Punjab wheat all our irrigation schemes will come to ruin. For it must not be forgotten that there is a very close relation between production and marketing. If there is no market for our products the production is bound to fall and in that case all these great colony schemes will suffer and the vast country-side will again become waste, because it is impossible for the Punjab peasant to go on producing wheat when there is no market for it. So it is a matter of very great moment for the Punjab Government and for the Punjab people that facilities for the export of wheat should be provided by the Railway Board. The chief trouble is that the railway administration is so highly centralised. Living in Delhi far away from the people affected they have no touch with the conditions of the different provinces. As carriers of goods and as a public utility department they must keep in touch with the economic conditions of the provinces and must afford all the help that they can to the people. This they are unable to do and the remedy for that has been suggested by my honourable friend, Mr. Owen Roberts. The problem as I have explained affects the Punjab in a more vital degree than any other province. And therefore there is the great responsibility for the Punjab Government to press our case with all the emphasis at their command. It will not do to say that they have made representation to the central Government and that no reply has been received. For, after all, they are there to give effect to the wishes of the people. I am not charging them with any dereliction of duty, but what I am suggesting is that they should keep up a continuous hoarse cry until their voice is listened to.

I might refer before sitting down to the suggestion made by my honourable friend, Mr. Mukand Lal Puri, that if we want reduction in freight in regard to the other provinces we might carry on a campaign for their consumption of our wheat. And this has appealed to me very strongly because we have in our Council very good material for such advertisement. We could send our friends Mian Mushtaq Ahmad and Mian Ahmad Yar Khan to the various provinces with the slogan: Eat Punjab wheat. Only if the Railway Board listens to us we will be able to get along and for that it is the duty of the Punjab Government to make a strong representation.

Mr. C. C. Garbett : I move—

That the question be now put.

Sayad Mubarak Ali Shah (Jhang, Muhammadan, Rural) (Urdu) : Sir, you have seen that my resolution has been supported by members of each party in this honourable House, and that justifies the necessity and importance of this measure, which I mentioned in presenting my resolution to this honourable House. I am thankful to all the individual members

[Sayad Mubarak Ali Shah.]

who have supported me and their parties which allowed them to support it. My contention, that these high rates of railway freight, at present, are against the interest of the province in general, is amply proved by the support lent to it by the representatives of the different interests such as, Commerce, Industries, and Agriculture. Sir, after the able and learned speeches made by my honourable friends, Mr. Own Roberts, and Mr. Puri, I do not feel inclined to say anything further on the subject. I recommend to this honourable House, that my resolution be passed unanimously, so that the hands of the Punjab Government be strengthened in putting forward this demand before the Government of India to take necessary steps. With this I conclude my speech.

The Honourable Captain Sardar Sir Sikander Hyat Khan : May I say one word with your permission? The honourable mover has said that the resolution should be treated by Government as an important one. I have already assured the House on behalf of the Government that we attach great importance to it, and we will say so in forwarding the proceedings to the Government of India.

There are two points with regard to which I should like to say a few words. They were raised after I spoke last. One was that our exports of wheat to markets outside the country were being hampered on account of railway freight. I might point out that so far as the Punjab is concerned, we are undoubtedly a surplus province, but if we take India as a whole my recollection of statistics which I saw sometime ago is that we have a surplus of wheat only once in four or five years. The question of export to other countries need not therefore, worry us. Our present concern is to find internal markets for our surplus wheat. We know that there is a growing demand in the country for wheat; we also know that if we could place wheat cheaply in the markets in other provinces people would consume more wheat. It is for this reason that we insist that the railway freights should be so adjusted as to allow our agricultural produce to move more freely to other markets within the country not necessarily outside it.

The other question which the honourable member from Gujrat asked me was, why the Railway Board asked for a guarantee when they reduced the freight to Calcutta in 1931. The reply is that they naturally did not want to drop money on an experiment, and this reduction was necessarily in the nature of an experiment. As the Railway Board insisted on this guarantee we agreed to give it on the condition that if the experiment succeeded we would not be asked to recoup the railways but that if it did not succeed, we would make good any loss which the railways might suffer. At the conclusion of the experiment we were told that the expectations had not been fulfilled. We accepted this verdict and redeemed our pledge by paying the amount.

Mr. President : The question is—

This Council recommends to the Government to convey to the Government of India the opinion of this Council that the schedule of railway freights is extremely detrimental to the interests of this province in general and of agriculturists in particular.

The motion was carried.

CLOSE TOUCH BETWEEN OFFICERS AND THE PEOPLE.

Khan Bahadur Sardar Habib Ullah (Lahore, Muhammadan, Rural)
(Urdu): Sir, I beg to move:—

This Council recommends to the Government that a senior officer should be placed on special duty to report after making necessary enquiries and consulting all shades of non-official opinion, upon the best means of maintaining close touch between officers and general mass of the population.

It is such an important resolution that it should be unanimously supported by the House and readily accepted by the Government. As to why a close touch between the Government officers and the general mass of population is needed, I would like to say a few preliminary words. I think that honourable members are aware that after the Great War was over, the various nations of the world expressed their utter disgust of despotic forms of Government and began to feel the necessity of establishing responsible Governments. It is the responsible government under which a close touch between the rulers and the ruled can be maintained. The Indians too did not lag behind. They began to feel along with other nations of the world the necessity of doing away with irresponsible government and establishing responsible government instead. These legislatures and other reforms that have been introduced in India are the result of these feelings of the Indians. It is an admitted fact that when close touch exists between the rulers and the ruled, the Government always runs smoothly. It is, therefore, desirable that such close touch between the rulers and the ruled should be maintained with a view to creating respect for the former in the minds of the latter. It is all the more important to maintain a close touch between both of them now when the provincial autonomy is in sight. If that touch is maintained, it will establish cordial relations between the Government and their people which will result in the general welfare of the country. I am really very sorry to observe that during the last few years the relations between the Government and its peoples have rather been strained. Formerly, the deputy commissioner of a district was respected and loved by the people but now they do not cherish such feelings. The reason for this is not far to seek. I have mentioned the case of deputy commissioner only because he is the head of a district and holds a very important post. He supervises the work of the police, district boards and other beneficial departments in the district. He is the officer who should have direct communion with the public. Besides there are various other departments such as public health and co-operative departments which have mostly to deal with the public. Therefore if a close touch is maintained between the Government officers and the general mass of population, these departments can work much more efficiently than they have been doing for the last few years. But I am sorry to say that no cordial relations now exist between the Government and its people. Previously the Government officers used to tour in their *ilagas* on horse back and had to stay there for longer intervals and consequently the people had an easy access to them. They were naturally well informed of the public grievances. But now the officers do not like touring and if they go on tours at all they go by motor cars in the morning, stay for some time in some rest house where they chat with some local men and return to headquarters before evening. Under

[K. B. Sardar Habib Ullah.]

these circumstances how can one expect them to know much of the people of their *ilagas*. The latter cannot approach them and consequently no touch as is suggested in my resolution is maintained. It is possible that the deputy commissioner and other responsible officers of Government may say that their work has enormously increased. But that is not so important because it can be entrusted to others. The importance of cordial relations between the Government and its people should not be lost sight of merely because of heavy routine work. It is my personal experience that it is not possible for me to become familiar with the conditions prevailing in my village unless I stay there for one or two nights. I usually go to my village on Friday and stay there for Saturday and Sunday. How can those Government officers who go on tour in the morning and return before evening to headquarters in order to play bridge or tennis, be expected to be familiar with local conditions of their *ilagas*? One reason for this hurry may be the present political upheaval and the feeling of officers that it is unsafe for them to stay in villages at night. I assure you, Sir, that they are, whether Europeans or Indians, much more safe in villages than they are in their own houses, for the villagers are very loyal and obedient and make every arrangement for the convenience and comfort of the Government officers. It is due to the absence of this touch between the Government and the people that the reports made by the petty Government officials are always taken as gospel truths by high officers such as the Financial Commissioners and Chief Engineers. I am sorry that the Honourable Member for Revenue is not now in his seat. Yesterday an honourable member of this House made certain complaints with regard to the conduct of certain Government officials. The Honourable Revenue Member asked the former to disclose his source of information. The Honourable Revenue Member instead of encouraging the honourable member who made complaints before him, threatened him. Is this the way how you try to keep yourself informed of legitimate public grievances? For God's sake, do not behave in this manner. It is high time that responsible Government officers should tour in villages, mix with people and try to improve the lot of villagers. They should not make it a point to support their subordinates even if they are at fault. Supposing the Chief Engineer comes to know that a subordinate of his has made a wrong entry in official papers, it should be the bounden duty of the former to make necessary enquiries on the spot. It is due to the absence of a close touch between the Government and its subjects that corruption is rampant in all Government departments. Even the beneficial departments are not immune from this evil. For instance the Public Health Department people take illegal gratification for vaccinating people. And if the latter are not prepared to have themselves vaccinated they have to pay something to the vaccinators. The same is the case in the Education Department. The teachers somehow or other arrange to persuade the parents of their pupils to give them tuition fees for privately teaching their boys. They promote weak students after having received illegal gratification. Even the judiciary is not free from corruption. If a zamindar requires to know the date on which he has to appear before the court, he has to pay one or two rupees to the *Ahmad*. The tahsil officials refuse to prepare challans for payments of land revenue in the treasury

unless the lamboardars pay something to them. All this is being done under the very nose of tahsildars and naib-tahsildars. The deputy commissioners have no time to look to these things and even if they have, they would not like to put an end to them. It is only the direct touch that should exist between the Government and its people that would go a long way in putting an end to corruption. If you do not try to maintain a close touch between the ruler and the ruled and if you keep the public at a distance, you are sure to lose your prestige. In this case there would be no love lost between both of them. There should be such medical officers as would like to mix with the common folk, prefer smoking *hugga* to cigarettes. Such officers would prove very useful both to the Government and the people. Your officers should tour in the rural areas and should not stay for long in cities. The other day the Director of Public Health complained to me about the heavy work that had to be done by him. He told me that when he returns to his residence he feels absolutely exhausted. If that is the case, why not appoint a few more assistants to relieve him of the heavy routine work? By making such arrangements the Government would not stand to lose. I think I have made my object clear. With these words I commend my resolution for the acceptance of the House.

Mr. President : The resolution moved is—

This Council recommends to the Government that a senior officer should be placed on special duty to report after making necessary enquiries and consulting all shades of non-official opinion, upon the best means of maintaining close touch between officers and general mass of the population.

Rao Bahadur Captain Rao Balbir Singh (Gurgaon, non-Muhammadan, Rural) (*Urdu*): Sir, I give my whole-hearted support to the resolution which has been moved by my honourable friend from Lahore. He has fully dealt with this question and explained at length the difficulties and grievances of the public and I think there is not much left for me to say. The honourable members are, I think, aware that the rajas and the kings of the olden times used to go about very often in disguise to see for themselves the real condition of the public and to obtain first hand information of what had happened or what was happening in the country under their sway and it is for this reason more than any other that their administrations were known to be very popular. These rajas and these kings never cared for their personal convenience and more often than not they went about wearing only one blanket to cover their bodies and this they used to do with one idea of knowing the grievances of the subjects and promptly removing them. I know it for a fact that Maharaja Ram Singh of Jaipur was also in the habit of going about in disguise wearing very ordinary dress to every place in his State which was frequented by the public. He used to pay visits to the temples and other places of worship to see whether these places were being really used as places of worship or not. The result was that he was loved by his subjects, which love bordered on adoration and worship. I have stated all this to show that the closer the touch between the ruler and the ruled, the more popular and firmer the Government is. For such a government it is very easy to govern as there are very few people to oppose or obstruct the administration. Under such a rule the relations of the ruler and the ruled remain very pleasant and consequently there is seldom seen this element of discontent which we witness in our times. My

[R. B. Capt. Rao Balbir Singh.]

honourable friend the mover has rightly remarked that now-a-days the officers of the Government try to finish their tours in the *ilaga* under their jurisdiction as soon as possible. Their aim in undertaking these tours in these days appears to be more to earn their travelling allowance than to see and study the conditions of the people or the place which they go to visit. Generally they perform this duty on motors which enable them to cover long distances in no time and consequently to earn a greater amount of travelling allowance. The object with which these journeys are undertaken is, therefore, never achieved. Lest I should be misunderstood, I might say that I have been compelled to state these facts not by way of a complaint against any individual or any class of officers but to warn the Government that the situation is becoming worse on account of this attitude of these officers.

I remember the time when the deputy commissioners of the districts used to be very sympathetic and when they were in the habit of looking into every trifling matter themselves. They used to listen to the complaints of even most ordinary people and to personally look into them with a view to do justice to all concerned. In those days the people were very much satisfied and there were few persons who could say, in those days, that the administration was bad. It will interest the honourable members to learn that on my complaint to the Deputy Commissioner of my district that those in charge of my estate, which was under court of wards at that time, would spend lavishly on my marriage, he was pleased to make at once such arrangements, which besides being very satisfactory, were not at all expensive. From this you can judge how promptly the officers in those days could find time to attend to even such small affairs. But now the conditions have altogether changed as has been explained before. It may be that the desk work has now increased and perhaps for this reason officers may plead helplessness. But it will not be denied that there is no longer that close touch between the officers and the people. It will also be not denied that for this reason the relations of the two have ceased to be pleasant and happy. To revive those relations it is necessary that this resolution should be adopted and acted upon. While on this point I may say that by keeping in close touch with the public the prestige of the officers is not lowered. They are rather respected more than ever as a well-known Persian poet says :—

ز قدر و شوکت سلطان نه کشت چرخه کم—ز التفات به مهمان سرائے دمقانه

It means in plain English that an officer by staying as a guest in the house of a poor man does not lower himself. He rather creates feelings of love for him in the mind of his host who makes it a point to show him every respect he can. With these words I support this resolution and hope that the Government will very favourably consider it.

Chaudhri Muhammad Abdul Rahman Khan (Jullundur, Muhammadan, Rural) (*Urdu*): Sir, I strongly support the resolution before the House. There is not the least doubt about it that the officers in these days go about touring more to earn their travelling allowance than for any other reason. It is very seldom that they halt for more than few hours at one place and they try to run back to their head-quarters with the same hurry

with which they go there and consequently the object with which these tours are made is rarely achieved. They never care to stay and study the conditions of the towns and villages they visit and they, therefore, fail to do justice which they are in duty bound to do. Their attention is always centred on one point only and that is how much they can earn by way of travelling allowance during their tours. And because they can use good language while making reports about their tours to the higher authorities they are seldom suspected of not having performed or done their duty very well. The higher officers think that the administration is smoothly running and that everything is being done properly. They are, I should say, misled by the paper work which seems to be complete in every way. There they find nothing to criticise and, therefore, they are satisfied that their subordinates are efficiently performing their duties. But that is not the case in reality. In actual practice very little is done to remove the grievances of the public. This is why our Government is called and very rightly called a bureaucratic Government.

My friend from Gurgaon rightly remarked that unlike the kings of the olden times the officers in these days care more for their convenience than for the interests of those whose welfare is entrusted to their care. In fixing their tour programmes they see where they will find a good game and after selecting the place to their taste they invite some of their friends to accompany them during their journeys on tours and they stay at that place till their appetite for game is satiated. They halt at such places not for so long as their duty requires them to stay, but for the time their love for sport dictates them to do so. Besides these engagements which occupy the time of these officers, the civilisation and the fashions of the day do not permit them to attend to their duties properly. They think it necessary to follow these fashions and they consider it essential to eat and drink five times a day at intervals. Then they think that they must find time to play hockey, foot-ball and that other game, I do not exactly remember what it is called, which has become so popular in these days. (*An honourable member*: Tennis). Yes, they must find time to play tennis even though they may have to neglect their duties on that account. Over and above, the attraction of their wives at headquarters compels them to hurry back to the head-quarters.

The Honourable Captain Sardar Sir Sikander Hyat Khan: Does the honourable member mean that the officers should not marry? (*laughter*)

Chaudhri Muhammad Abdul Rahman Khan: All these factors combine to give these officers little time to know the hard realities and therefore they fail to satisfy the public whose interests are in this manner neglected. The pity is that unlike the kings of the olden times our officers are not accessible. They have so many orderlies and chaprasis to guard them against the approach of public men. Then they have certain fixed times and dates on which the interviews to the public are permitted. They do not care for the inconvenience of the latter even if some of them may have come from a distance of 80, 50, 30 or 20 miles to have an interview with them. Hazrat Umar, you know, had no such orderlies to say to the public that he is taking rest or sleeping and he has not come to the office and therefore the interview sought for cannot be granted. He was accessible to every

[Ch. Muhammad Abdul Rahman Khan.]

one high or low and that is why he is said to be an ideal ruler. In these days it is impossible for the poor people to come and see the officers as they cannot afford to gratify the orderlies and other officials keeping the doors of the officers. On account of this lack of interest on the part of officers in the welfare of the public, many acts of injustice are being done every day. Only a little while ago my honourable friend from Multan told me how one Saif-ud-Din was involved in a case and challaned by the police in spite of the fact that he was lying in the hospital as an indoor patient at the time when the crime of which he was accused, was alleged to have been committed. Because a certain Inspector of Police was afraid lest he should incur the displeasure of his officers, he challaned this man knowing very well that he was absent from the scene of occurrence. I have forgotten other details of this case and I hope my friend will supply them to the House. While on this point I may also say that in this *raj* the records are considered to be very sacred and what is once recorded on papers is considered to be unchangeable. It is for this reason also that Saif-ud-Din mentioned above was challaned. Even the High Court cannot challenge the truth of what has been once recorded although there may be very reliable evidence against it. I am here reminded of a story according to which a man had been declared by the Chief Court to have died because it was so recorded in papers. That man was all alive and he presented himself personally before the court, but inspite of his protests he was still declared to be dead. I request the Government that it should not attach so much sanctity to such records and should not strictly enforce the rules and procedure once laid down. I may as well say that we have no grudge against Englishmen or even against their rule. What we object to is the system of government which is so rigid and so unsympathetic. If closer touch is maintained between the ruler and the ruled as it is necessary for a good Government, many of us will be satisfied and you will then find little of discontent prevailing in these days. I think that the Government will welcome this resolution and will take early steps to materialise the wish expressed in it.

Kanwar Mamraj Singh Chohan (Ambala-cum-Simla, non-Muhammadan, Rural) (*Urdu*) : Sir, I beg to move—

That for the words " senior officer should be placed on special duty " the following be substituted :—

" committee of one official and two non-official members of this Council be appointed."

Mr. President : I hope the honourable member will be brief.

Kanwar Mamraj Singh Chohan : I shall not take more than a few minutes. I do not want to enter into a controversy on the merits or demerits of this question although I do not find myself in agreement with some of the arguments advanced by the honourable mover and his supporters. I may, however, say at once that I do not see any good in the appointment of an officer for this purpose from amongst those with whose way of working we are dissatisfied. We cannot hope to see matters improve by appointing such an officer and I am, therefore, sure that my amendment will be readily accepted.

There is no doubt about it that the executive officers in these days have, if I may say so, only ears and no eyes and therefore they are open to back-biting. They are easily poisoned against those persons who do not know how to flatter them or who are poor and cannot have access to them. They believe to be true what those who dance attendance upon them or who entertain them at parties, say to them. There is another class of persons to whom they show undue favours and that is those persons who are adept at creating mischief. The rest are allowed to suffer any amount of hardship without being listened to. It is, therefore, necessary that these officers should be in closer touch with the public in general. They should not be influenced by what a few big people say to them just as a deputy commissioner of one district was prejudiced against one member of this Council. It happened that sometime ago His Excellency the Governor was coming to visit a district and it was arranged by the gentry of that district to entertain him at a tea party. This gentry included two members of the Council as well. One member of the Council desired to join that party as host or as guest but the Deputy Commissioner who had been poisoned against him by the other faction refused to allow him to participate either as guest or host. This is how the members of this honourable House are treated. You can imagine what must be the plight of the poor people who have neither means to entertain these officers at parties nor have time to dance attendance upon them. I say their complaints are never heard, what to say of their being redressed! Even most reasonable requests are rejected when these requests come from the poor or from persons having no influence with the officers. I know that one such request for appointing a court of ward was refused simply because it had come from a person who had never danced attendance upon the officers although he represented a family that had been loyal for generations. But in another case His Excellency himself appointed a court of ward for the reason that the person concerned had some influence with him. This is how things are being managed and it is time that Government should take steps to improve matters. With these words I commend my amendment for the acceptance of the House.

Mr. President : Resolution under discussion, amendment moved is—

For the words "senior officer should be placed on special duty," the following be substituted :—

"committee of one official and two non-official members of this Council be appointed"

The question is that that amendment be made.

The motion was lost.

The Honourable Sir Henry Craik (Finance Member) : I should like to say at once that I entirely appreciate the spirit in which this resolution was moved and that I have considerable sympathy—I may say great sympathy—with nearly everything that the honourable mover said. He expressed his case with great moderation and I think he has brought to light a state of affairs which I must, with considerable regret, admit is very largely true. I think there is a good deal in what he says, that the district officer—I use the word not only as referring to the deputy commissioner, the head of the district, but also to the officers of the Government in districts generally—is in less close touch with the people than he used to be some 10 or

[Hon. Sir Henry Craik.]

15 years ago. Perhaps the most effective argument that the honourable member could have brought forward was in a story that was told to me the other day by one of the oldest living members of this Council. I do not think he is here now, but I remember his telling me this. He said—he is now an old man but many years ago his father died when he was a boy of 7 or 8. His estate was situated at the other end of a big district, some 50 miles or so from the headquarters. The deputy commissioner himself on receiving news of this gentleman's death immediately rode to the place and himself put seals on all the property which was of considerable value. That member told me that that sort of thing does not happen now. I am afraid he was perfectly right.

But honourable member must remember what the reasons for this are. The administration is increasing in complexity day by day. The burden placed on the executive officer of Government in the district is consequently heavier day by day. Education has improved. Communications have improved. The press exercises a much wider influence than it did 20 years ago and generally speaking there is a far larger section of the population now which takes an interest in the doings of the administration than used to be the case a generation ago. That, I think, everybody will accept. Another reason, of course, is that since the reforms were initiated interest has concentrated very largely in proceedings of this Council. Local affairs and local grievances and complaints are constantly ventilated on the floor of this House. Now that necessarily means a very large extra burden of work on the executive officers of Government who have to supply information and give Government speakers material for replying to the various questions that are raised in this House.

With what the honourable mover said on the subject of touring, I am in entire sympathy. It is perfectly true that the motor-car has had in my opinion a very deleterious influence on the relations between the officers of the Government and the people. I entirely agree that it is a deplorable practice when an officer dashes out 30 or 40 miles along a metalled road and comes back the same day. Government does its best to discourage that practice and to insist on officers, who have to tour or whose duty it is to tour, touring systematically, by going out and staying on tour for 10 days or a fortnight at a time. Personally I never can understand this habit of dashing out for a day and coming back. Officers who indulge in that practice seem to me to miss what is really the most enthralling and delightful part of work in this country. I am sure that all officers, at any rate all English officers who have been in charge of districts, will agree with me that the best time they have had is when in the old days they toured on horse-back, pitching their tents every day in a different village. I entirely agree with the honourable member that it is a thousand pities that that practice has been discontinued to a great extent. But as I have said, it is not the officer to blame so much as the condition in which he works. Within the last few years there has been additional cause at work which has tended to curtail touring by officers and that is the necessity for economy. Honourable members will remember that the necessity for economy, especially in regard to the matter of travelling allowance, has been forced on the attention of the Govern-

nent by the elected members of this House and one of the largest items in our economies effected during the last few years has been in regard to travelling allowance. The total grant for the province which stood in 1931-32, that is 2 years ago, at very nearly 51 lakhs of rupees was reduced last year to less than 44 lakhs and the provision in the budget this year is less than 48 lakhs. Naturally that very large curtailment in the amount provided for travelling allowance has led to some decline in touring. As times improve, I hope we shall be able to restore the 9 or 10 lakhs which we have saved under that head. As regards motor cars, I may say that it is quite definitely the policy of Government to discourage touring by motor cars especially on the part of the junior officers. We recognise that the busy deputy commissioner or the superintendent of police in charge of a heavy district, with perhaps a considerable city at head-quarters which takes up much of his time, must be in a position to proceed at a moment's notice and by the quickest possible way to any part of the district. But those considerations do not apply to junior officers and in their case we definitely discourage touring by car and prefer that an officer should tour on horseback and should, as I have said, spend 10 days or a fortnight at least at a time on tour and shift his camp from village to village.

Another reason, and this is perhaps a point that may not have occurred to honourable members, for the lack of touch between officers of Government and the people especially in rural areas is this, that up till about 1920 there were always settlements in progress in some district of the province. As a rule, I think, I am right in saying, four or five settlements were going on simultaneously. I think all members who represent rural constituencies will agree with me in the view that the settlement officer has the best possible opportunities for getting into close touch with the zamindar and that, as a rule, most settlement officers do succeed in getting into closer touch than officers of any other department. Those of you who can remember settlements in your own districts, say 20 or 25 years ago, will, I am certain, bear me out in this statement. Now owing to the amendment of the law and the prolongation of the period of settlements these are much rarer occurrences than they used to be. While the ranks of the Punjab Commission 15 or 20 years ago included I suppose at least a dozen officers who had carried out settlements, I doubt if a quarter of that number is left now, and it is comparatively rare except among senior officers to find any with that intimately close touch with the countryside that used to be common.

Now, Sir, the honourable mover touched on the question of bribery in the departments and he took the view that this evil has latterly become more common. I am afraid I must admit that from what I hear on all sides there is a good deal of truth in what he says. That statement emanating from an elected member of this House is certainly arresting and striking, and it is a curious coincidence that it should have been made so soon after Sir Michael O'Dwyer, when giving evidence to a similar effect before the Select Committee, was challenged and contradicted by so many high authorities including, I think I am right in saying, several *ex-Viceroy*s (*laughter*). My honourable friend has taken the side not of the *ex-Viceroy*s but of the *ex-Lieutenant-Governor*, and though the subject is not one of which I can claim to have a very close personal knowledge I am told by visitors,—and

[Hon. Sir Henry Craik.]

I receive many visitors from every district in the province,—I am told by practically all my visitors that this statement that bribery is on the increase is true. That is very regrettable and I think it is a very grave reproach on the administration that in these days when education is spreading and the country is daily becoming more and more enlightened, this horrible evil should be getting more and more common. I do not think, however, that Government can really be blamed. So far as I am aware, Government takes every possible opportunity of trying to eradicate this evil, and certainly it cannot be claimed that in that respect the Government of to-day is any less alert or any less anxious to extirpate this evil than its predecessors have been. But perhaps our difficulties are greater, the machinery for detecting the evil-doer and bringing him to justice is not as good as it should be, and it is possible that among the lower ranks of Government officers there is a tendency to take rather more lax view of these matters than we, the members of the Government and the officers of an older generation, take. I may be wrong about that but I have occasionally seen an unfortunate tendency to view this evil with a kind of resigned toleration. However, that is perhaps only a personal impression. Anyhow that is certainly not the policy of the Government. We are as anxious now as we have ever been to eradicate this evil, but honourable members, I know, will agree with me that the thing is so widespread and so deeply rooted in this country, not only in the public administration but in practically every sphere of life, that it is not possible through any action of Government alone to get rid of it altogether. The cure that is wanted is something much more radical than that. Public opinion must be educated to the pitch where the bribe-taker and the bribe-giver are shunned and ostracised socially as well as officially (*hear, hear*) and until public opinion reaches that position, I am afraid, that any action, however vigorous and however sustained by Government can only be a partial and an incomplete remedy. That is the real remedy, to educate public opinion up to the point when neither the bribe-taker nor the bribe-giver will be tolerated or considered fit to associate with decent and honest men. That is the attitude in my own country. Anybody who has been publicly proved to have been guilty of any kind of corrupt practice, even if he has not infringed any law, would not be tolerated in any decent society so long as he lives. I should like to see and I hope the time will come when I shall see the same view taken in India.

Now, Sir, I do not know that I have much more to say. I have admitted the existence of the lack of touch of which the honourable mover complains in his resolution. He has suggested that the remedy is to be found "in the appointment of a senior officer on special duty to report after making the necessary inquiries and consulting all shades of opinion upon the best means of maintaining close touch between the officers and the general mass of population." The honourable member's speech was devoted entirely to showing that the close touch that should exist has to some extent been lost. He did not so far as I heard, and I listened with close attention, he did not say one single word about placing a senior officer on special duty, and the alternative plan suggested by the honourable member on my right has been rejected by the House. So we are left with the original proposal. Neither the honourable mover nor any subsequent speaker gave me any argument in favour of this particular remedy and I confess that it does not seem to me

that putting a senior officer on special duty will really be of any great help. I admit the evil of which the honourable member complains, I admit that we must try to find a remedy but I wish to point out that I do not think that the particular remedy suggested by my honourable friend is the right one. I hesitate to say, even to hazard any suggestion, as to what is the right remedy.

I have been trying to think of one but at the moment I confess I do not see my way clear. But the honourable member is aware that the subject of this resolution is discussed at considerable length in three or four passages in the memorandum that I have here on the agricultural situation in the Punjab, that was presented to Government on behalf of a number of prominent members of this Council and prominent zamindars outside this Council in the province. My honourable friend no doubt knows this memorandum is to be discussed within the next few days between representative zamindars and His Excellency the Governor and the members of his Government. I think my honourable friend would be well advised if he would not press his resolution now after what I have said but would leave it to us when we meet together round a table to think out some better means of curing the evil of which he complains and the existence of which I have admitted. I hope my honourable friend will accept that suggestion and will not press his resolution, because I am afraid I should find difficulty in accepting it in its present form.

Rao Bahadur Chaudhri Chhotu Ram (South-east Rohtak, non-Muhammadan, Rural) : I am very glad that a resolution on the subject of the advisability of maintaining greater and closer touch between officers and the general public has come up for discussion in this Council. I have been feeling for some time that our officers are steadily losing touch with those for whom they are supposed to work. But the resolution is of an entirely non-controversial character and the Government has adopted an attitude which assures the members of the House that the Government is prepared to do what it can to establish greater touch between its officers and the general public. Therefore, I am sure that the mover of the resolution will not press this resolution to a division. I need not put forward any argument in order to show that this resolution touches a very important subject or in order to convince the Government of the propriety and advisability of taking some action. It has become, in view of the statement made by the honourable the Finance Member, unnecessary for me to put forward any arguments. But there are certain remarks which I should like to make in answer to certain arguments used by him as to the reason for the loss of touch and for the greater amount of corruption to be found now-a-days as compared with previous times. The honourable member for Finance has stated that the Government is not to be blamed for the existence of corruption. While I am quite free to admit that public opinion in our country does not show sufficient practical concern for purity of services, and whenever a case of corruption comes to court public opinion generally fights shy of discharging its duty, at the same time I should like the honourable Finance Member to make an equally frank admission that Government is not in a position to disclaim all responsibility in the matter. It is incorrect to say that Government is not at all to blame. The Government is to blame just as much as the public is to blame. I will say just a

[R. B. Chaudhri Chhotu Ram.]

few words in support of my contention. A district officer whether he is the deputy commissioner or the superintendent of police or the executive engineer is not worth his salt if he does not know which of his subordinates are corrupt and which of his subordinates are honest and, if once a district officer comes to know what particular individuals under him are honest and what particular individuals under him are dishonest, there is no reason why he should not be able to put down corruption to a fairly large extent. Corruption can never be eradicated entirely and corruption cannot be suppressed to the extent to which we all desire that it should be suppressed except with the fullest co-operation of the public. But I join issue with my honourable friend when he says that the Government is doing all that it can, that its officers are helpless and, therefore, no blame attaches to Government. If the district officers were to keep their eyes open and their ears open and if they made themselves as easily accessible to the general public as we claim they ought to do, there is no reason why half the corruption should not be stopped. (*The Honourable Revenue Member*: Their ears open?) Yes. They are now open only to tale bearers. The district officer is willing to see those who carry tales, who speak about the evils, real or imaginary, of their neighbours or their rivals or of those who take any part in political activities. With the exception of these classes of people other individuals cannot get an easy access to them. My contention is that if the district officers made themselves easily accessible they would know more about their subordinates. They would be in a better position to find out the exact character of their subordinates and having once come to know what the exact character of their subordinates is there is no reason why they should not be able to take sufficiently strong departmental action against those who are proved or are believed to be corrupt. (*The Honourable Finance Member*: Can it be proved?) That is the reason why I say departmental action should be taken. I know that it is very difficult to bring home corruption to an officer by means of a judicial proceeding. It is practically an impossibility. But a deputy commissioner who sees that his naib tahsildar is maintaining two horses, three or four buffaloes or cows and a motor car, can it be said that that deputy commissioner is doing his duty in the way of suppressing corruption if he fails to take any action against him? If a sub-inspector has two horses, three or four buffaloes or a number of cows and several wives and pays visits to Delhi at least once a week and has a big nautch party, can there be any doubt whatever left in the mind of the superintendent of police that that sub-inspector is corrupt? And yet there are cases of this character which are known to the general public, and are either not known to the superintendent of police or the deputy commissioner or are intentionally overlooked by them. My contention is this that the Government is to blame in so far as it allows its district officers to remain ignorant of things of which they could easily become aware if they did their duty, if they kept their eyes and ears open to all, and not only to tale bearers.

Then a further statement was made by the Honourable Member for Finance that it was really the need of keeping the expenditure on travelling allowance low that is responsible at least partly for loss of touch between

the people and Government officers. (*The Honourable Finance Member :* In the last two years.) In the last two years only, very well, let it be last two years only. If that is true it is true only to a very slight extent. The complaint of private members is that considerations of travelling allowance have not deterred officers from going out in camp. They are, as a matter of fact, in the habit of dashing out at forty or fifty miles an hour in their cars and coming back to the headquarters. Thus so far as the question of travelling allowance is concerned there is hardly any saving. I do not mean to say that a sum of 7 lakhs may not have been saved last year on this account. What I contend is that even within the scope of the travelling allowance which is placed at the disposal of individual officers they are not doing their duty to the extent that they can and ought to. Without specifying any individual officers, I may mention, that in certain departments there are officers who find more time to waste on bridge and tennis than they devote to their official duties. I really fail to understand why officers should exhibit such keenness to run back to headquarters and play bridge up to 12 or 2 in the night and then get up at 8 or 9 next morning. I do not say every officer is guilty of such conduct but there is a certain proportion of officers who keep awake till 2 in the night and naturally cannot get up before 8 on the following morning. (*An honourable member :* Is he wasting his time ?) I shall show what it is. An officer goes on tour to-day. He runs at forty miles an hour and comes back the same day to the headquarters to play bridge till 2. What is it that brings him back ? It is his sharp appetite for bridge. He keeps awake till 2 and naturally cannot get up till 8 next morning, and to that extent he wastes public time. (*An Honourable Minister :* But the time between 2 and 8 is his own). No. He should be out of bed at sunrise if not earlier. I hope that our Honourable Minister does not get up so late as 8. (*Laughter*).

Then there was another statement made by the Honourable Finance Member that the honourable mover of the resolution was unable to suggest any concrete remedy. That is obvious. He urged the appointment of a fairly senior officer on special duty with the special object of placing him in a position to find out the correct remedy. The Honourable Finance Member in spite of his long experience and his great ability has not been able to think of a remedy. Why ? Because he has not sufficient time to devote to it. And naturally the very object of this resolution was that a senior officer of experience and ability should be placed on special duty so that he may be able to devote the whole of his time to that particular question. And when he once comes to realise that it is his job to find out a remedy I am absolutely sure he will find out a remedy. And there is a further stipulation in this resolution that he should consult all shades of public opinion. If an officer is appointed on special duty and he consults members of the Council, members of the central legislatures, members of the bar, bankers and zamindars and even members of the Congress, there is no reason why he should not be able to find out the correct remedy. (*An honourable member :* No Congress now. It has ceased to exist.) If that officer is appointed and if he makes an appeal for co-operation I am sure the congressmen will co-operate so far as the suppression of corruption is concerned. So no specific remedy need be discussed on the floor of this House. It is for that officer to find that remedy. (*Mr. Mukand Lal, Puri :*

[R. B. Chaudhri Chhotu Ram.]

Would you insist on that special officer not playing bridge? I wish he did not know it. I may or may not insist on it but it is a fact that this bridge is a regular gambling in some cases and I hope that officers will realise that it is an unhealthy practice and would give it up. Anyway there is a very great need to establish touch between the people and the officers of the Government. On account of that loss of touch there is so much corruption, so much misunderstanding. Sometimes private members make statements in this House based upon the information that they derive from the countryside and Government members get up and say, "it is a wild statement." Why? Because officers derive their information from papers and these paper reports are based upon the statements of officers most of whom have no first hand knowledge of the actual situation in the country. We the private members are the best informed because we come into contact with the people and Government members display gross ignorance in saying that our statements are wild. That leads to misunderstanding. If there were a greater amount of touch between the officers of Government and the people I am sure there would be a greater approximation between the views of Government and of private members of this House.

Khan Bahadur Sardar Habib Ullah: Sir, we highly appreciate the spirit in which the Government have taken this resolution and after the assurance given by the Honourable Finance Member I beg to withdraw his resolution.

The resolution was by leave withdrawn.

The Council then adjourned till 9-30 A. M. on Monday, 31st July 1933.

PUNJAB LEGISLATIVE COUNCIL.

3RD SESSION OF THE 4TH PUNJAB LEGISLATIVE COUNCIL.

Monday, 31st July 1933.

The Council met at the Assembly Chamber, Simla, at 9-30 A.M. of the clock, Mr. President in the chair.

OATH OF OFFICE.

The following member was sworn in—

Rai Bahadur Sant Ram (Chief Engineer, Irrigation).

STARRED QUESTIONS AND ANSWERS.

REMISSIONS IN LYALLPUR AND JHANG DISTRICTS.

*2591. **Sayad Mubarak Ali Shah :** Will the Honourable Member for Revenue please state—

- (a) the amount of money remitted by the Government on the *rabi* crop this year in the district of Lyallpur ;
- (b) whether that was due to late sowing, frequent and long closures in the Lower Chenab Canal during the last winter season and partly owing to the damage being done to the same crop by the hailstorm ;
- (c) whether considerable portion of Jhang district also situated on the Lower Chenab Canal and mostly on the tail of the said system, was equally affected by the said closures ;
- (d) whether the damage done to the same crop was to the same extent, if not greater, as well in the Jhang district ;
- (e) the amount of money remitted by the Government on the same crop in the portion of Jhang district irrigated by the Lower Chenab Canal ;
- (f) if there be great difference between the amounts of money remitted in Lyallpur and Jhang districts and answer to (d) be in the affirmative, the causes of step-motherly treatment by the Government of Jhang district in this matter, and whether the Government is prepared to reconsider the question (so far as the Jhang district is concerned), if not, why not ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The information required has been called for from the local officers, and will be supplied to the honourable member when received.

CLOSURES IN LOWER JHELMUM AND LOWER CHENAB CANALS.

***2592. Sayad Mubarak Ali Shah :** Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that generally monthly closures are carried out in the Lower Jhelum and Lower Chenab Canals during the summer season, with a view to check the water-logging since last five years ;
- (b) whether great damage is done to the standing crops owing to these closures during the hot months ;
- (c) whether any useful purpose is achieved by these closures so far as the water-logging is concerned, and whether it outweighs the damage mentioned in (b) ;
- (d) if the damage caused by these closures be more than the actual gain, whether the Government is prepared to reconsider the programme of monthly closures during the hot weather ; if not, why not ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Yes, on the Lower Jhelum Canal as a whole and on the Jaurian and Kassoki distributaries of the Lower Chenab Canal.

(b) When damage due to heat and want of rainfall is apprehended the closures are abandoned.

(c) This point is under careful re-examination at present.

(d) In view of answers to part (b) and (c), does not arise.

OCCUPIERS' RATES IN THE LOWER JHELMUM CANAL.

***2593. Sayad Mubarak Ali Shah :** (i) Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that there are two schedules of occupiers' rates in the Lower Jhelum Canal, viz., A and B, former being heavier than the latter ;
- (b) whether there is also a disparity of *haq-i-abpashi* generally between the old *abadi* (proprietary lands) and the new *abadi*, the former getting about 45 per cent. at the most while the latter receives 75 per cent. ;
- (c) whether most of the lands in the Shahpur district on the Lower Jhelum Canal are more favourably situated than the Lower Jhelum Canal tracts of the Jhang district, i.e., former being generally situated on the main stream, while the latter on the distributaries of the said system, and that even in the tail sub-division ;
- (d) whether it is generally an admitted fact that the soil of the Lower Jhelum Canal irrigated area gradually deteriorates towards the south and most of the Jhang district portion irrigated by the Lower Jhelum Canal is situated south of Shahpur district

and hence possesses very inferior soil (as compared with that of the Shahpur district), and wholly comprises of the old *abadi* getting less *haq-i-abpashi* ;

- (e) that schedule "A" of the occupiers' rates is generally applied to the Lower Jhelum Canal irrigated portion of Jhang district, while there is a considerable area in the Shahpur district on which Schedule "B" of the occupiers' rates is levied ;

(ii) If the answer to the above be in the affirmative, will the Honourable Member for Revenue please state the reasons for the application of Schedule "A" on the Lower Jhelum Canal irrigated portion of Jhang district when this *ilaga* is permanently suffering from disabilities such as less *haq-i-abpashi* inferior soil and is generally situated on the tails of Lower Jhelum Canal system ; and for not revising the occupiers' rates in this *ilaga* with a view to bring it to the standard of Schedule "B" ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Information is being collected and a reply will be given to the honourable member in due course.

*2594. }
*2595. } *Cancelled.*

MR. IQBAL SINGH, CIRCLE REGISTRAR.

*2596. **Mr. M. A. Ghani :** With reference to the answer to supplementary question No. 2 to question No. 353¹ (starred) put on the 19th March 1931, will the Honourable Minister for Agriculture be pleased to state—

- (a) what severe punishment was meted out to Mr. Iqbal Singh mentioned in the question referred to above ;
- (b) whether the said Iqbal Singh was guilty of cognizable offences ;
- (c) if so, the reasons for not handing him over to the police and for keeping him in Government service ?

The Honourable Sardar Sir Jogendra Singh : (a) For the period of suspension he was only allowed half pay and his increment was withheld for a year affecting his subsequent increments.

(b) No.

(c) Does not arise.

Mr. M. A. Ghani : In view of the answer to part (a) of the question, do you consider that it is a severe punishment ?

Mr. President : That is a question of opinion, and opinion cannot be asked.

Mr. M. A. Ghani : How is it that he was not handed over to the police when he was found guilty of a cognizable offence ?

The Honourable Sardar Sir Jogendra Singh : There was nothing against him to hand him over to the police.

SARDAR SUNDAR SINGH, TRACER.

***2597. Lala Jyoti Prasad :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that Sardar Sundar Singh, tracer in the Hissar division of the Western Jumna Canal Circle, has been brought under reduction ;
- (b) whether it is a fact that he has an unblemished record of over 21 years' long and continuous service and was the only Sikh tracer in that circle ;
- (c) whether it is a fact that till the time of his reduction in June last he had always been recommended by his executive engineers for confirmation ;
- (d) if the answer to (c) be in the affirmative, the reason, in detail, for overlooking his claims ;
- (e) whether it is a fact that just after his reduction Sardar Sundar Singh was offered a post for about four months at the lowest pay of his grade, that is Rs. 25 per month, by the Superintending Engineer, Delhi Circle, when he appealed against the orders of reduction to the Chief Engineer with the request that his application of 25th April 1932 for permanency may favourably be considered ;
- (f) whether it is a fact that at the time of his being brought under reduction he was drawing the maximum pay of his grade ;
- (g) whether he has been given any compensatory pension or gratuity ;
- (h) if not, the reasons for not awarding gratuity or pension when he has served the department for over 21 years ;
- (i) what steps, if any, Government proposes to take, to redress the injustice done to him ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : A representation has been received from the person mentioned in the question and is still under consideration. I do not, therefore, propose to answer this question.

PROCESS-SERVERS AND BAILIFFS IN HISSAR AND GURGAON DISTRICTS.

***2598. Lala Jyoti Prasad :** Will the Honourable Member for Finance please state—

- (a) the number of civil process-servers and bailiffs in Hissar and Gurgaon districts separately for each district community-wise ;
- (b) the population of each of the above two districts community-wise ?

The Honourable Sir Henry Craik : (a) The figures have been called for and will be communicated to the honourable member on receipt.

(b) The honourable member is referred to the Census Report.

DISCRIMINATORY ACTION IN IRRIGATION DEPARTMENT.

*2599. **Lala Jyoti Prasad**: Will the Honourable Member for Revenue be pleased to state—

- (a) whether his attention has been drawn to letter and comment in the *Tribune* and the *Daily Herald*, Lahore, about discriminatory action in the Irrigation Department;
- (b) whether it is a fact that in Lower Jhelum Circle of the Irrigation Department old employees have been asked to prove their dates of birth as recorded in office records;
- (c) if the replies to (a) and (b) are in the affirmative, the reasons that have led it to doubt the correctness of the entries in office records, that have all these years been accepted as correct;
- (d) whether Government does not recognise that in the absence of municipal record there can be nothing more trustworthy evidence than the entries in the office record;
- (e) whether Government does not recognise that entries in school registers are only approximately correct and cannot be given preference over office records;
- (f) if the reply to (e) be in the affirmative, what action Government proposes to take in the matter?

The Honourable Captain Sardar Sir Sikander Hyat Khan: (a) Yes. To the letters in the *Tribune* and *Eastern Times* only.

(b) Yes. Similar orders have issued to other circles.

(c) Cases had come to notice where permanent Government service had been obtained by giving false ages.

(d) and (e). It is considered that the age given for a public purpose such as an examination, and as recorded on the Educational Certificate (which is used for entry into Government service) should be accepted for other public purposes.

(f) No action is proposed.

HINDU WATERMEN IN GOVERNMENT SCHOOLS.

*2600. **Lala Jyoti Prasad**: Will the Honourable Minister for Education please state—

- (a) whether it is a fact that recently some orders have been issued by the Education Department to the effect that the post of Hindu waterman in all the Government schools of the Punjab or at least in all the Government schools of the Ambala division, be brought under reduction;
- (b) if so, whether a copy of that order will be laid on the table;
- (c) whether it is a fact that the abolition of the post of Hindu waterman has caused great inconvenience to Hindu students in all the schools;
- (d) the number of Government schools in the Ambala division with the number of their students communitywise;

[L. Jyoti Prasad.]

- (e) whether, in view of the overwhelming number of Hindu students in all the Government schools of the Ambala division and in view of the inconvenience to which the students are put, Government is prepared to revise its orders and direct the re-appointment of Hindu watermen ;
- (f) whether it is a fact that Muslim waterman in each school is retained as used to be in the past ?

The Honourable Malik Sir Firoz Khan Noon : (a) The post of Hindu waterman was reduced in Government institutions where a whole-time servant was not considered necessary. Arrangements for supplying drinking water to Hindus in such institutions have, however, been made either by the appointment of a part-time servant or by granting an allowance to some other Hindu menial.

(b) A copy of the order is placed on the table.

(c) Does not arise in view of (a) above.

(d) The information can be supplied later if the honourable member so desires.

(e) The matter is receiving attention. If the present arrangements are found not to work satisfactorily other measures will be adopted to remove the difficulty.

(f) There is no separate post of Muslim waterman in any Government institution ; water is supplied to Muslims by the *bhishti* who does this work in addition to his other duties.

Copy of a letter C. M. No. 5834-A, dated the 15th March, 1933, from R. SANDERSON, Esquire, M.A., Director of Public Instruction, Punjab, to the Principals, Government Intermediate Colleges, Gujrat, Lyallpur, Rohtak and Hoshiarpur ; the Principals, Lahore College for Women, Government College and the Central Training College, Lahore, the Divisional Inspectors of Schools and the Deputy Directress of Public Instruction, Punjab.

With reference to the correspondence ending with your reply to my C. M. No. 5868-A, dated the 14th April 1932, I have the honour to sanction with effect from the 1st April 1933, the reduction in the posts of menials as shown in the accompanying statement against the institutions named therein.

Statement showing the posts proposed to be retrenched.

Name of the institution.	Posts proposed to be retrenched.
Government Intermediate College, Gujrat ..	1 chaukidar and 1 sweeper at Rs. 13 per mensem each.
Government Intermediate College, Lyallpur ..	1 chaukidar and 1 coolie at Rs. 13 per mensem each.
Government Intermediate College, Rohtak ..	1 chaukidar at Rs. 13 per mensem.
Government Intermediate College, Hoshiarpur	1 chaukidar and 1 Hindu waterman at Rs. 13 per mensem each.
Lahore College for Women, Lahore ..	1 sweeper for 6 months in summer at Rs. 13 per mensem.

Statement showing the posts proposed to be retrenched—continued.

Name of the institution.	Posts proposed to be retrenched.
Central Training College, Lahore	3 sweepers and 2 <i>bhishties</i> at Rs. 13 per mensem each for 3 months during summer vacation.
Central Model School, Lahore	1 Hindu waterman at Rs. 13 per mensem.
<i>Government College, Lahore.</i>	
Main building	1 chaukidar and 5 coolies at Rs. 13 per mensem each.
Physics Department	1 sweeper at Rs. 13 per mensem.
Old Hostel	1 chaukidar, 2 sweepers at Rs. 13 per mensem each.
New Hostel	1 chaukidar, 1 sweeper and 1 coolie at Rs. 13 per mensem each.
Branch Hostel	1 sweeper at Rs. 13 per mensem.
<i>Lahore Division.</i>	
Government High School, Zaffarwal	1 mali at Rs. 20 per mensem.
Government High School, Amritsar	1 sweeper at Rs. 13 per mensem.
Government High School, Gujranwala	1 Hindu waterman at Rs. 13 per mensem.
Government High School, Dera Baba Nanak ..	1 chaukidar and 1 Hindu waterman at Rs. 13 per mensem each.
Government High School, Chunian	1 Hindu waterman at Rs. 13 per mensem.
Government High School, Pasrur	Ditto ditto.
Government High School, Sheikhupura	Ditto ditto.
Government High School, Sialkot	Ditto ditto.
Government High School, Pindi Bhattian ..	Ditto ditto.
Government High School, Ajnala	Ditto ditto.
Government High School, Gakhar	Ditto ditto.
Government High School, Kasur	1 boarding house chaukidar at Rs. 13 per mensem.
<i>Multan Division.</i>	
Government High School, Montgomery	1 Boarding House chaukidar at Rs. 13 per mensem.
Government High School, Renala Khurd	1 mali at Rs. 20 per mensem and 1 Hostel chaukidar at Rs. 13 per mensem.
Government High School, Multan	1 Hostel chaukidar and 1 Hostel sweeper at Rs. 13 per mensem each.
Government High School, Kahrur Paoos ..	1 mali at Rs. 20 per mensem.
Government High School, Jaranwala	Ditto.
Government High School, Kamalia	1 Hostel chaukidar and 1 Hostel sweeper at Rs. 13 per mensem each.
Government High School, Muzaffargarh ..	1 Hostel chaukidar at Rs. 13 per mensem.

[The Hon'ble Malik Sir Firoz Khan Noon.]

Statement showing the posts proposed to be retrenched—continued.

Name of the institution.	Posts proposed to be retrenched.
<i>Multan Division—concd.</i>	
Government High School, Shorkot ..	1 mali at Rs. 20 per mensem and 1 hostel chaulkidar at Rs. 13 per mensem.
Government High School, Alipur ..	1 hostel chaulkidar at Rs. 13 per mensem.
Government High School, Leliah ..	1 mali at Rs. 20 per mensem and 1 hostel chaulkidar at Rs. 13 per mensem.
Government High School, Jampur ..	1 mali at Rs. 20 per mensem.
Government High School, Rajanpur ..	1 mali at Rs. 20 per mensem.
Government High School, Taunsa ..	1 mali at Rs. 20 per mensem and 1 hostel chaulkidar at Rs. 13 per mensem.
<i>Rawalpindi Division.</i>	
Government High School, Phalia ..	1 mali at Rs. 20, 1 chaulkidar and 1 Hindu waterman at Rs. 13 per mensem each.
Government High School, Lalamusa ..	1 mali at Rs. 20 per mensem.
Government High School, Shahpur Sadr ..	1 sweeper and 1 hostel chaulkidar at Rs. 13 per mensem each.
Government High School, Sargodha ..	1 chaulkidar at Rs. 13 per mensem.
Government High School, Chakwal ..	1 Hostel sweeper at Rs. 13 per mensem.
Government Middle School, Campbellpur ..	1 mali at Rs. 20 per mensem and 1 sweeper at Rs. 13 per mensem.
Government High School, Talagang ..	1 mali at Rs. 20 per mensem.
Government High School, Jhelum ..	1 mali at Rs. 20 per mensem.
Government High School, Pindi Gheb ..	1 mali at Rs. 20 per mensem.
<i>Jalandhar Division.</i>	
Government High School, Kulu ..	1 chaulkidar at Rs. 13 per mensem.
Government High School, Phillaur ..	Ditto.
Government High School, Garhshankar ..	Ditto.
Government High School, Hamirpur ..	Ditto.
Government High School, Gujjarwal ..	1 chaulkidar and 1 Hindu waterman at Rs. 13 per mensem each.
Government High School, Jagraon ..	Ditto ditto.
Government High School, Patto Hira Singh ..	1 Hindu waterman at Rs. 13 per mensem.
Government High School, Ludhiana ..	Ditto ditto.
Government High School, Ferozepore ..	1 Hindu waterman and 1 chaulkidar at Rs. 13 per mensem each.
Government High School, Fazilka ..	1 chaulkidar at Rs. 13 per mensem.

Statement showing the posts proposed to be retrenched—concluded.

Name of the institution.	Posts proposed to be retrenched.
<i>Ambala Division.</i>	
Government High School, Karnal ..	1 coolie, 1 sweeper and 1 Hindu waterman at Rs. 13 per mensem each.
Government High School, Gurgaon ..	1 bhikhi, 1 chaukidar, 1 Hindu waterman and 1 sweeper at Rs. 13 per mensem each.
Government High School, Simla ..	1 hostel chaukidar and 1 hostel sweeper at Rs. 13 per mensem each.
Government High School, Sirsa ..	1 Hindu waterman, 1 hostel chaukidar and 1 hostel sweeper at Rs. 13 per mensem each.
Government High School, Rewari ..	1 Hindu waterman at Rs. 13 per mensem and 1 part-time school sweeper at Rs. 5 per mensem. 1 hostel sweeper at Rs. 13 per mensem.
Government High School, Naraingarh ..	1 Hindu waterman, 1 chaukidar and 1 sweeper at Rs. 13 per mensem each.
Government High School, Hissar ..	1 chaukidar, 1 sweeper and 1 Hindu waterman at Rs. 13 per mensem each.
Government High School, Palwal ..	Ditto ditto.
Government High School, Rupar ..	Ditto ditto.
Government High School, Jhajjar ..	1 chaukidar, 1 sweeper and 1 Hindu waterman at Rs. 13 per mensem each.
Government High School, Jagadhri ..	Ditto ditto.
Government High School, Kaithal ..	1 Hindu waterman at Rs. 13 per mensem.
Government High School, Shahabad ..	1 Hindu waterman and 1 sweeper at Rs. 13 per mensem each.
Government High School, Gohana ..	Ditto ditto.
Government High School, Hansi ..	Ditto ditto.
Government High School, Bhiwani ..	1 Hindu waterman at Rs. 13 per mensem.
Government High School, Bahadurgarh ..	1 Hindu waterman and 1 sweeper at Rs. 13 per mensem each.
<i>Deputy Directress of Public Instruction, Punjab.</i>	
<i>Girls Schools.</i>	
Lady Anderson High and Normal School for Girls, Sialkot.	1 chaukidar at Rs. 13 per mensem.
Government High School for Girls, Gujranwala	1 coolie at Rs. 13 per mensem.
Government High and Normal School for girls, Ludhiana.	1 Baby woman at Rs. 13 per mensem.
Government High and Normal School for Girls, Jullundur.	1 Bulawi at Rs. 13 per mensem.
Government High and Normal School for Girls, Hissar.	1 malt at Rs. 20 per mensem.
Government High and Normal School for Girls, Hoshiarpur.	1 coolie at Rs. 13 per mensem.
Government High and Normal School for Girls, Rohtak.	1 sweeper at Rs. 13 per mensem.

COMMUNAL REPRESENTATION AMONG OFFICIALS IN BHIWANI TAHSIL.

***2601. Lala Jyoti Prasad :** Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that tahsildar, Bhiwani, sub-inspector police, Sadar police station, Bhiwani, and sub-inspector police, city police station, Bhiwani, in the Hissar district, all are Muslims ;
- (b) whether it is a fact that the population of Bhiwani town and tahsil is mainly Hindu ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The answer to both parts of the question is 'yes'. The Muslim tahsildar assumed charge on the 1st of July this year.

REMISSION OF LAND REVENUE IN HISSAR DISTRICT.

***2602. Lala Jyoti Prasad :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that the land revenue of 4 or 5 crops of most of the *barani* villages in the Hissar district is outstanding on account of suspensions granted by the Government ;
- (b) whether it is also a fact that the zamindars of the *barani* villages in the Hissar district have been hard hit by constant famines and their paying capacity has been much reduced ;
- (c) if the answer to (a) and (b) be in the affirmative, what steps, if any, Government propose to take for the remission of the suspended land revenue outstanding over three crops ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) In only 124 out of a total number of 729 *barani* villages.

(b) Yes.

(c) Rs. 2,00,660 have been remitted under the three harvests' rule.

REMISSION OF TACCARI IN HISSAR DISTRICT.

***2603. Lala Jyoti Prasad :** Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that large amounts of *taccari* for seed, fodder, etc., have been advanced to the agriculturists of the *barani* villages in the Hissar district during the last seven or eight years ;
- (b) whether it is also a fact that most of the amount of *taccari* thus advanced could not be recovered on account of failure of crops and is being suspended from time to time ;
- (c) whether it is also a fact that the Government had to forego a sum of nearly 48 lakhs advanced to the people of Gurgaon district as *taccari* ;
- (d) if the answer to (a), (b) and (c) be in the affirmative, whether Government is prepared to take necessary action for the remission of the suspended *taccari* of seed and fodder, etc., in the Hissar district ?

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

(c) The total remission of *taccavi* in the Gurgaon district during the last 8 years amounted to Rs. 11,12,205.

(d) Remission of overdue instalments of *taccavi* will be sanctioned under the ordinary rules when found to be irrecoverable or when from any special cause it appears that the loan ought not to be recovered.

ALIENATION OF LAND IN MANDI BAHAUDDIN.

***2604. Chaudhri Allah Dad Khan :** Will the Honourable Member for Revenue be pleased to state—

(a) whether it is a fact that one Hakam Singh, a non-agriculturist and commission agent of Mandi Baha-ud-Din in Gujrat district, acquired in various mutations about 13 marlas each in the name of himself and his relations about one acre of agricultural land ;

(b) whether it is a fact that permission under section 3 (2) was given in respect of the above sales on the ground of the lands being 'building sites' and will Government state the name of the collector who gave the permission ;

(c) whether it is a fact that the entries in the revenue records show that the above lands since their sale have continued to be used for agricultural purposes ;

(d) to how many other non-agriculturists permission under section 3 (2) of the Land Alienation Act was granted by the deputy commissioner on the ground that the sites were 'building sites,' but on which no buildings have been constructed and which are being used for agricultural purposes for the last 3 years ;

(e) if the answer to (d) discloses a large number what action Government intends to take in the matter ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The information required has been called for from the local officers, and will be supplied to the honourable member when received.

ALIENATION OF LAND IN MALAKWAL.

***2605. Chaudhri Allah Dad Khan :** Will the Honourable Member for Revenue be pleased to state—

(a) whether it is a fact that one Bahadur Chand, a non-agriculturist of Malakwal in Gujrat district, was given permission under section 3 (2) of the Alienation of Land Act for the purchase of six kanals of agricultural land recently ;

(b) the reasons why permission under section 3 (2) of the Alienation of Land Act was given to the said Bahadur Chand or to the person who sold the land to him and the name of the collector who gave it ;

[Ch. Allah Dad Khan.]

(c) whether it is a fact that this land according to the entries in the revenue records continues to be used for agricultural purposes to this day ;

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

The Honourable Captain Sardar Sir Sikander Hyat Khan : The information required has been called for from the local officers, and will be supplied to the honourable member when received.

ALIENATION OF LAND IN KAKRALI.

***2606. Chaudhri Allah Dad Khan :** Will the Honourable Member for Revenue be pleased to state—

(a) whether it is a fact that one Lachhman Das, a non-agriculturist of village Kakrali in the Gujrat district, was given permission for the sale to him of some agricultural land which he acquired under mutations Nos. 1531 and 1532 of village Kakrali recently ;

(b) the reasons why permission under section 3 (2) of the Alienation of Land Act was given to the said Lachhman Das or to the vendor and the name of the collector who gave the permission ;

(c) if answer to (b) discloses no valid reason, what action Government intends to take in the matter ?

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

(b) Permission was granted by the deputy commissioner under his statutory power of discretion exercised in accordance with the instructions of the Financial Commissioner contained in paragraph 37 of the Land Administration Manual.

(c) Government has no power under the Act to set aside the order of a deputy commissioner passed under section 3 (2) of the Act.

ALIENATION OF LAND IN RANDHIR.

***2607. Chaudhri Allah Dad Khan :** Will the Honourable Member for Revenue be pleased to state—

(a) whether it is a fact that one Ladha Singh, a non-agriculturist of village Randhir in Gujrat district, was given permission for the purchase of eight *kanals* and five *marlas* of agricultural land from Ahmed Ali and Ali, Gujjars, of the same village ;

(b) the reasons for which permission for the sale was given and the name of the collector who gave the permission ;

(c) date of sale and amount of sale money and the number and date of the mutation ?

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

(b) Permission was granted by the Deputy Commissioner under his statutory power of discretion exercised in accordance with the instructions of the Financial Commissioner contained in paragraph 37 of the Land Administration Manual.

(c) Rs. 820 is entered as sale money in mutation No. 900, dated 9th March, 1933, which is pending.

TRANSFER OF DEPUTY COMMISSIONER, GUJRAT.

***2608. Chaudhri Allah Dad Khan :** Will the Chief Secretary please state—

(a) whether it is a fact that the question of the transfer of the Deputy Commissioner of Gujrat was considered recently by Government ;

(b) whether one of the reasons for the transfer in (a) was the unpopularity of the official with the Muslims of the district ;

(c) the other reasons for transfer mentioned in (a) in addition to one mentioned in (b) above ;

(d) why the transfer in (a) was postponed ?

Mr. C. C. Garbett : (a) No.

(b) If the object of the question is to cast imputations on the partiality of the officer in question, I may inform the honourable member that they are without foundation.

(c) and (d) Do not arise.

ALIENATION OF LAND IN MANDI BAHAUDDIN.

***2609. Chaudhri Allah Dad Khan :** With reference to starred question No. 2452¹ answered on the 11th April, 1933, will the Honourable Member for Revenue be pleased to state—

(a) whether the matter was the subject of protracted correspondence between the Collector and the Financial Commissioner ;

(b) whether when the matter was brought to the notice of Mr. Calvert as Financial Commissioner by a petition to him, he wrote a note regarding it embodying his views on it therein ;

(c) the purport of the note mentioned in (b) above ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Government is not prepared to give information relating to the correspondence between its officers or the noting in the Secretariat.

GOVERNMENT INTERMEDIATE COLLEGE, ROHTAK.

***2610. Khwaja Muhammad Euscof :** Will the Honourable Minister for Education please state—

(a) whether it is a fact that there is a great agitation against the ill-treatment by the Principal and the non-Muslim professors of the Government Intermediate College, Rohtak, towards the Muslim students of the college ;

[Khwaja Muhammad Eusoof.]

- (b) whether innumerable complaints to this effect have been made in the vernacular press ;
- (c) whether the Honourable Minister has made any enquiry into the state of affairs of the Rohtak college ;
- (d) whether the complaints are genuine ;
- (e) if so, what steps the Honourable Minister has taken to redress the grievances ?

The Honourable Malik Sir Firoz Khan Noon : (a) A complaint was received from Rohtak.

- (b) Government is not aware that this is the case.
- (c) The complaint expressed to at (a) has been inquired into.
- (d) No.
- (e) Does not arise.

GOVERNMENT INTERMEDIATE COLLEGE, ROHTAK.

***2611. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Education please state—

- (a) the educational qualifications of the Principal, Government Intermediate College, Rohtak ;
- (b) his teaching experience in any of the colleges before his principalship ;
- (c) the subject for which he is academically fit for teaching ;
- (d) whether he has taught any examination-going class ;
- (e) the percentage of his result and how it compares with those of his subordinates ?

The Honourable Malik Sir Firoz Khan Noon : (a) M. A. in Physics and M.A. in Chemistry (Punjab University).

(b) He worked as an Assistant Professor of Science (Physics and Chemistry) in the Government College, Lahore, for the periods April to July, 1903, the year 1905, and September, 1912 to May, 1913, also Professor of Science, Dyal Singh College, Lahore (January to June, 1912) and Assistant Professor of Science at the Central Training College, Lahore (October 1919 to September 1922). He taught postgraduate, B.Sc., and intermediate classes during the above periods.

- (c) Science (Physics and Chemistry).
- (d) Yes, English and Physics to II year class.
- (e) Physics, 1932—72 per cent.

Physics, 1933—75 per cent.

English, 1933—69 per cent. (Partly taught by Rai Sahib Lala Rattan Lal).

The percentages of results in these subjects before Rai Sahib Lala Rattan Lal took over their teaching were :—

Physics, 1931—84 per cent.

Physics, 1930—61 per cent.

English, 1932—59 per cent.

PRINCIPALS OF GOVERNMENT INTERMEDIATE COLLEGES.

***2612. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Education please state—

- (a) the total number of Government intermediate colleges in the Punjab ;
- (b) the number of such principals as are not Masters of Arts ;
- (c) the institutions which they are running ;
- (d) whether there is any complaint against the competency or policy of any one of them ;
- (e) if the reply to (d) is in the affirmative whether the department proposes to exchange such principals with more qualified and able principals ?

The Honourable Malik Sir Firoz Khan Noon : (a) Nine.

(b) Three—one D. Sc., one M.Sc., and one B.A.

(c) The colleges at Hoshiarpur, Campbellpore and Pasrur.

(d) No.

(e) Does not arise.

LECTURERS IN INTERMEDIATE COLLEGE.

***2613. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Education please state—

- (a) the names of teachers and lecturers who possess foreign qualifications and are working in the intermediate colleges ;
- (b) how many of them are not in provincial educational service ;
- (c) how this affects the Muslim representation in various colleges in the Punjab ?

The Honourable Malik Sir Firoz Khan Noon : (a) and (b) The information asked for is given in the departmental lists copies of which are placed in the Council library.

(c) In no way.

LECTURERS, ETC., IN COLLEGES.

***2614. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Education please state—

- (a) whether he will place on the table a statement showing the results of lecturers and teachers working in the degree and intermediate colleges and possess foreign qualifications ;
- (b) how many professors, lecturers or teachers are such whose results are below University average ;
- (c) how many of them are such whose results are persistently bad ;
- (d) what steps the department proposes to take to improve the efficiency of the teaching of such employees ?

The Honourable Malik Sir Firoz Khan Noon : The information is being collected and will be supplied when ready.

MUSLIM TEACHERS AND LECTURERS.

***2615. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Education please state—

- (a) whether it is a fact that the number of Muslim teachers and lecturers in the various colleges of the province is below 30 per cent. ;
- (b) whether some of the non-Muslim teachers working in the colleges are not Masters of Arts ;
- (c) whether some Muslim teachers working in schools are Masters of Arts ;
- (d) whether the department intends to exchange the less qualified non-Muslims in the colleges with more qualified Muslims working in schools to raise the Muslim percentage ?

The Honourable Malik Sir Firoz Khan Noon : (a) Yes, in Government colleges.

(b) Yes.

(c) Yes.

(d) The wishes of the honourable member have been noted for consideration when a suitable opportunity offers.

PRINCIPAL, MACLAGAN ENGINEERING COLLEGE.

***2616. Khwaja Muhammad Eusoof :** Will the Honourable Minister for Agriculture please state—

- (a) if the Principal of MacLagan Engineering College, Mughalpura, is to be given an extension of service ;
- (b) whether there has been any change in the policy and attitude of the Principal towards the Muslim students after the strike in the college ;
- (c) if the answer to (b) is in the negative, whether the Government will consider the desirability of appointing a principal who may be above bias and animosity towards any particular community to prevent the re-occurrence of any unhappy event ?

The Honourable Sardar Sir Jogendra Singh : (a) The question of extension has not arisen.

(b) The Principal's attitude towards students of all communities, so far as Government is aware, has been one of sincere concern for their well-being inside and outside the College.

(c) Does not arise.

PUBLIC PROSECUTOR, GURGAON.

***2617. Chaudhri Riasat Ali :** Will the Honourable Finance Member please state—

- (a) the name of the public prosecutor at Gurgaon ;
- (b) the date of his appointment and confirmation ;

- (c) if he was ever appointed before in the same district ;
- (d) if he was ever reverted, if so, when ;
- (e) the reasons which led to his reversion ;
- (f) if these reasons have disappeared now ;
- (g) if he is a non-agriculturist and there are Hindu agriculturist candidates available ;
- (h) if his appointment has caused dissatisfaction amongst the Hindu agriculturists in general and the above-mentioned candidates in particular ;
- (i) if the Government is prepared to reconsider the question of his appointment or confirmation under the circumstances ?

The Honourable Sir Henry Craik : (a) The honourable member is referred to the Civil List.

- (b) 10th October 1932 (afternoon). Not yet confirmed.
- (c) Yes.
- (d) Yes. On 9th October 1930 (forenoon).
- (e) Owing to the appointment of a permanent incumbent.
- (f) Does not arise. The late permanent incumbent has been transferred to another district.
- (g) He is a non-agriculturist. Yes.
- (h) Government has no information.
- (i) Does not arise.

FARM PRODUCE.

***2618. Gura Jaswant Singh :** Will the Honourable Minister for Agriculture kindly state—

- (a) whether a small pamphlet entitled "Marketing of the Farm Produce in the Punjab" by Sardar Sarwan Singh, M.Sc., has come to the notice of the Honourable Minister for Agriculture ;
- (b) if the answer to (a) is in the negative, whether he will please send for it and study its contents ;
- (c) if the answer to (a) is in the affirmative, whether he is aware of the serious allegations made therein about the methods adopted by the *artis* (commission agents) in handling the farm produce in the markets ;
- (d) what action Government proposes to take in the matter ?

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

(b) Does not arise.

(c) Yes.

(d) The matter does not appear one in which Government can interfere effectively in the interests of the producer.

REMISSION ON PLOUGHED CROPS.

***2619. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether the Chief Engineer, Irrigation, recently issued a letter instructing zilladars not to recommend remission in cases of ploughed crops;
- (b) whether according to Chief Engineer's instructions if a cotton field is ploughed up by the end of September, remission will not be granted;
- (c) the latest date by which a cotton crop does not yield any cotton;
- (d) under what law or rule the Chief Engineer is justified in issuing instruction for not allowing remission for acres of cotton ploughed up before the date mentioned in (c);
- (e) what steps the Government is prepared to take to remedy the hardship caused by demands of Government regarding *abiana* and land revenue on fields from which a zamindar reaps no crop or derives no profit?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) (b) and (d) Presumably the honourable member is referring to Chief Engineer, Irrigation Branch's letter No. 3557-Rev., dated 22nd February, 1932. If so, his attention is invited to the reply given to Council question No. 2069 (starred).¹

(c) The honourable member as an agriculturist should be able to answer this question himself.

(e) None, as the ordinary *khirabz* rules already provide the remedy.

Mian Nurullah : I wanted information regarding (c) which the Honourable Member has not given.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I have said that the honourable member as an agriculturist should be able to answer this question himself.

Mian Nurullah : My question asks the latest date.

The Honourable Captain Sardar Sir Sikander Hyat Khan : It varies in different places and in different colonies, and so far as the honourable member's own colony is concerned, he ought to be able to give an answer with regard to it himself.

Mian Nurullah : But I would like the Government to answer the question. Is the Honourable Member not aware of the date? My question reads, the latest date by which a cotton crop does not yield any cotton.

The Honourable Captain Sardar Sir Sikander Hyat Khan : In which part of the province?

Mian Nurullah : The Honourable Member can split it into portions and answer it. Do I understand that Government has no answer to this question?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I think the honourable member is in a position to answer it himself.

Mian Nurullah : I never asked that.

The Honourable Captain Sardar Sir Sikander Hyat Khan : You get it from me now.

KHASRA GIRDAWARI.

***2620. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state—

- (a) the sections of the Northern India Canal and Drainage Act or the rule thereunder which lays down procedure regarding entries by canal patwaris in their *khasra girdawari* ;
- (b) what happens if a patwari wrongly enters the name and class or area of the crop ;
- (c) who checks such instances and under what law ;
- (d) who gives the final sanction to the "*fard sikhat*" submitted by patwaris ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The procedure is laid down in the Irrigation Branch Revenue Manual.

(b) and (c) The honourable member is referred to rules 70 and 71 of the rules issued under the Northern India Canal and Drainage Act (No. VIII of 1873). Generally, the zilladar investigates such complaints at site.

(d) The divisional canal officer.

TAWANS.

***2621. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state—

- (a) the amount of *tawans* levied during the year 1932 for (a) *ab zaila*, (b) *warashiknis*, (c) unauthorised *nakka* or water-course, (d) all other unauthorised irrigation in the Lyallpur and Lower Gugera divisions of the Lower Chenab Canal ;
- (b) whether *tawans* for unauthorised irrigation by unauthorised *nakka* or water-course is levied even when there is no complaint from any shareholder ;
- (c) whether the number of *tawan* cases is on the increase or decrease ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The information required by the honourable member has been called for and will be supplied when received.

TAWANS.

***2622. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state—

- (a) the definition of 'unauthorised' irrigation ;
- (b) when *nakkas* for each square were fixed on different branches of the Lower Chenab Canal ;
- (c) whether it is a fact that in certain cases more than thirty years have passed when this was done ;
- (d) whether *tawan* is levied on the owner of a square of land, if he irrigates it from a *nakka* other than the one sanctioned ;

[Mian Nurullah.]

- (b) the main object of fixing the *nakkas*;
- (f) how far the conditions have changed in this respect;
- (g) whether to suit the present conditions the Government would be prepared to allow the owner of a square to have his *nakka* anywhere it suits him provided he does not have more than one *nakka* in an ordinary case?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The Honourable member is referred to section 33 of the Northern India Canal and Drainage Act (No. VIII of 1873).

(b), (c), and (d) The information required by the honourable member is being obtained and will be supplied when received.

(e) *Nakkas* are fixed with the object of indicating to the zamindars the most suitable sites in the water-course from where the squares in the *chak* of an outlet can be irrigated and also to fix the point from which water is to be taken in internal *warabandis*.

(f) The meaning of this question is not clear.

(g) This would depend on circumstances, and would have to be decided in each case by the local officers; a change in position of *nakka* may mean a loss of water to the share-holder who takes his water next; as it may increase the length of water-course to be filled.

Mian Nurullah : As regards (a) I have not been able to find any section mentioned by the Honourable Member. Will he kindly read it out?

The Honourable Captain Sardar Sir Sikander Hyat Khan : If the honourable member has any doubt about it, he can come and see me about it.

WARASHIKNI CASES.

*2623. **Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state—

- (a) the number of *warashikni* cases during the last five years on the Lower Chenab Canal;
- (b) the average length of time it takes a *warashikni* case to decide;
- (c) the maximum length of time taken by a *warashikni* case?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) *Warashikni* cases by years on Lower Chenab Canal:—

Years.		Numbers.
1927	.. .. .	626
1928	.. .. .	421
1929	.. .. .	264
1930	.. .. .	120
1931	.. .. .	100

(b) The average duration of a case is about 1½ to 2 months.

(c) The maximum duration 153 days.

WARASHIKNI CASES.

***2624. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state—

- (a) if the Government is contemplating giving magisterial powers to some special officers (canal or otherwise) who should at once go to the spot and get *warabandi* restored immediately before taking any other action;
- (b) whether Government is aware that in these days of depression it is difficult to collect Government revenues from those villages and *chaks* in which *warashiknis* usually take place?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The matter is under the consideration of Government.

(b) No such instance has come to the notice of Government.

WARASHIKNI CASES.

***2625. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether any other method has been devised to mitigate the evil and ruinous effects of *warashikni* on the zamindars than the appointment of special officers or restoration of magisterial powers;
- (b) if so, what they are;
- (c) whether the Chief Engineer will be prepared to issue a circular to the executive engineers that if a majority of owners of land (their number or area) on a channel apply for *sukki* and *gilli* (dry and wet) *warashiknis* then their request must be met?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) No, but the matter is under consideration.

(b) Does not arise.

(c) If the honourable member will convey his suggestion to the Chief Engineer the latter will, doubtless, give it full consideration.

TAWAN.

***2626. Mian Nurullah :** Will the Honourable Member for Revenue be pleased to state whether *tawan* can be levied and is levied if a person having squares of land adjoining to each other but situated on different *chaks* of outlets, irrigates his area on one from the water of the other?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Yes, *tawan* can be levied in such cases but is generally not levied except on the complaint of an injured person.

ALIENATIONS OF LAND IN GUJRAT DISTRICT.

***2627. Chaudhri Allah Dad Khan :** With reference to my starred question No. 2451,¹ answered in the House on the 11th of April 1933, will the Honourable Revenue Member now be pleased to provide exact and up-to-date figures relating to the alienations in 1927, 1929, 1930 and 1932?

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

Statement showing the number of mutations of sales in favour of non-agriculturists by members of agricultural tribes in the Gujrat district.

Year.	Total number of mutations.	Area involved.		REMARKS.
		Els.	Mls.	
1927	378	379	2	
1929	348	151	6	
1930	333	332	8	
1933 (to date)	280	184	14	

ALIENATIONS OF LAND IN GUJRAT DISTRICT.

***2628. Chaudhri Allah Dad Khan :** Will the Honourable Member for Revenue please state—

- (a) the result of the investigation ordered by the Commissioner, Rawalpindi division, into the facts in regard to the alienation of agricultural land to non-agriculturists in Dhaul village of Phalia tahsil of the Gujrat district a few years ago ;
- (b) what action, if any, has been taken on the report mentioned in (a) submitted by the tahsildar ?

The Honourable Captain Sardar Sir Sikander Hyat : (a) No investigation was ordered by the commissioner.

(b) Does not arise.

APPLICATION OF THE ALIENATION OF LAND ACT.

***2629. Chaudhri Allah Dad Khan :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether it is a fact that the Deputy Commissioner of Gujrat district made in 1921 or shortly after, an order to the effect that notified areas and small town committees were included in the definition of a "Municipality" and that the Alienation of Land Act therefore did not apply to them ;
- (b) if the answer to (a) is in the affirmative, what action Government intends to take in the matter ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Yes, under a misapprehension.

(b) The collector has been reminded of the provisions of the Punjab Alienation of Land Act.

AUCTION SALE PRICE OF LAND IN MANDI BAHU-UD-DIN.

***2630. Chaudhri Allah Dad Khan :** Will the Honourable Revenue Member be pleased to provide the Council with figures relating to the following :—

- (a) average price per *marla* of the Government lands sold by auction sale in Mandi Baha-ud-din in 1982 stating also the exact dates of the auction sales ;
- (b) average price per *marla* of the Government lands sold by auction sale in Mandi Baha-ud-din in 1983 stating also the exact dates of the auction sales ;
- (c) if there is a wide difference between the prices in (a) and (b) above, the reasons therefor ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) The average price per *marla* was Rs. 720·88. The lands were sold by auction on the 28th, 29th and 30th March, 1982.

(b) Average price per *marla* was Rs. 349·25. The lands were sold by auction on 13th, 14th and 15th March, 1983.

(c) Sites auctioned in 1982 were centrally situated and were near the Railway Station, while those auctioned in 1983 were not so centrally situated and were far from the Railway Station. The continued economic depression probably also affected the prices obtained.

PARTY FACTION IN GARHDIWALA.

***2631. Sardar Arjan Singh :** Will the Honourable Minister for Local Self-Government kindly state—

- (a) whether there is a party faction in the Garhdiwala town in the Hoshiarpur district and one party is led by Pandit Ganda Ram, and the other party is headed by Sardar Joda Singh, Zaildar ;
- (b) whether the party squabbles have adversely affected the administration of the Small Town Committee of the village ;
- (c) the amount of tax levied on the following persons this year as compared with the past year :—
 - (i) Pandit Ganda Ram, President, Small Town Committee, Garhdiwala ;
 - (ii) Pandit Baldeo Das, member, Small Town Committee, Garhdiwala ;
 - (iii) Pandit Talsi Ram, uncle of the above Pandit Baldeo Das.
 - (iv) Pandit Munshi Ram), } uncles of Pandit Ganda Ram, President.
 - (v) Pandit Nand Gopal), }
 - (vi) Chaudhri Bir Singh, Jat of Garhdiwala ;
 - (vii) Sardar Indar Singh, Jat of Garhdiwala ;
 - (viii) Abdul Rahman, Pathan of Garhdiwala.
- (d) (i) whether any of the above persons filed an appeal to the officer in charge of the Small Town Committee, Hoshiarpur ;
 - (ii) the result of the appeals ;
 - (iii) the name of the officer in charge who decided the appeals ?

The Honourable Dr. Gokul Chand Narang : (a) There is a party faction within the Town Committee of Garhdiwala, but it cannot be ascertained with any reliability who are the leaders of the parties.

(b) Yes.

(c) The information is being collected though I am very doubtful whether it would be supplied, because the information required is of such a nature that it involves too heavy a cost in collecting and does not serve any useful purpose. Supposing to-morrow somebody gives a list of five hundred persons and asks how much tax each of them pays, surely that is not a question which the Government can be expected to answer.

(d) (i) Yes; appeals were filed by Sardar Inder Singh and Abdul Rahman, Pathan;

(ii) Both the appeals were rejected;

(iii) Pandit Dwarka Nath, M.A., P.C.S.

Sardar Arjan Singh : I ask for information only about a few individuals.

The Honourable Dr. Gokul Chand Narang : It would set up a bad precedent. The information is, however, being collected and it will be considered whether the question should or should not be answered.

LABOUR COMMISSIONERS.

***2632. Mr. M. A. Ghani :** Will the Honourable Revenue Member be pleased to state—

(a) whether he is aware that in most of the provinces in India, Labour Commissioners have been appointed as recommended by the Royal Commission on Labour in India;

(b) whether he is aware that the Labour Commissioners mentioned in (a) have been deputed to work as :—

(i) Registrars of Trade Unions ;

(ii) Registrars of Companies ;

(iii) Administrators of Trade Disputes ;

(iv) Depressed Classes Officers ;

(v) Workmens' Compensation Commissioners ;

(vi) Reclamation Work Officers ;

(vii) Administrators of Criminal Tribes ;

(viii) Beggary and Poor Relief Officers, and so forth ;

(c) whether he is aware that in the Punjab also, there is a demand for the appointment of similar Labour Commissioners as mentioned in (a) to do similar work as mentioned in (b) ;

(d) if so, reasons for not appointing a Labour Commissioner for this province as mentioned in (a) ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) As far as Government are aware, only the Madras Government have appointed a Labour Commissioner.

(b) No.

(c) Government are aware that the honourable member desires the appointment to be made.

(d) Attention of the honourable member is invited to the reply given to his question No. 550¹ put in the Budget session of the Council in 1931.

Mr. M. A. Ghani : Is it a fact that the Governments of Bombay, Assam and the Central Provinces have appointed Commissioners?

The Honourable Captain Sardar Sir Sikander Hyat Khan : I am not aware of it.

COURT STIFF PAPER.

***2633. Mr. M. A. Ghani :** Will the Honourable Finance Member be pleased to state—

- (a) the total cost of the court stiff paper bought by the Government for the use in the courts of this province during 1931-32 and 1932-33 ;
- (b) the total retail sale price of the paper mentioned in (a) sold by the Government during the two years mentioned in (a) ;
- (c) the total net revenue derived by the Government by the sale of the paper as mentioned in (b) ;
- (d) under what Act of the Legislature the Punjab Government can derive the revenue as mentioned in (c) by sale of the court stiff paper as mentioned in (b) ?

The Honourable Sir Henry Craik : It is presumed that by "Court stiff paper" the honourable member means "plain water-marked petition paper." The information is—

				Rs.
(a)	1931-32	..	..	25,755
	1932-33	..	..	25,672
(b)	1931-32	..	..	1,43,616
	1932-33	..	..	1,36,373
(c)	1931-32	..	..	1,17,861
	1932-33	..	..	1,10,701

(d) The honourable member is referred to the answer given to unstarred council question No. 42 in the Budget session of 1931.

BEGGARY.

***2634. Mr. M. A. Ghani :** With reference to the answer to question No. 389³ (starred) put on the 19th March 1931 by Chaudhri Muhammad Abdul Rahman Khan, will the Honourable Minister for Local Self-Government be pleased to state—

- (a) whether the report of the committee appointed in 1928 to consider the problem of begging in the Punjab and published in early 1929 is still under the consideration of the Government ;

¹ Volume XIX, pages 8-9.

² Volume XVIII, page 21.

³ Vol. XVIII, page 580.

[Mr. M. A. Ghani.]

- (b) whether the opinions invited on the report mentioned in (a) are still being examined by the Government with a view to legislation ;
- (c) if so, how long more it would take the Government to come to a definite decision in this respect ;
- (d) when a Bill based on the recommendations of the committee mentioned in (a) and on the opinions invited as mentioned in (b) is likely to be introduced in this Council ?

The Honourable Dr. Gokul Chand Narang : (a) and (b) No.

(c) It was at first decided by the Government that legislation would only be practicable when poor houses have been established.

(d) In view of the financial situation it is not likely that local bodies will be in a position to establish poor houses for a very long time. Meanwhile, however, some provisions designed to meet the problem in municipalities have been incorporated in section 51 of the Municipal Act by the Municipal Amendment Act of 1933, and the results will be considered before the question of any further legislation on the subject is taken up.

ILLEGAL GRATIFICATION BY MUHAMMAD HUSSAIN, FOREMAN, GOVERNMENT PRINTING PRESS.

*2635. **Mr. M. A. Ghani :** Will the Honourable Member for Revenue be pleased to state—

- (a) whether he is aware that one Muhammad Husain, Foreman, Punjab Government Printing Press, Lahore, openly indulges in taking illegal gratifications in the form of silken *pagris* and *patashas* from the compositors and other press hands of the said press under the garb of initiating them as *shagirds* ;
- (b) whether it is not a fact that the said Muhammad Husain shows favours and gives preference to his *shagirds* mentioned in (a) in the matters of appointments, promotions and distribution of work in the said Press ;
- (c) whether he (the Honourable Revenue Member) is aware that the said Muhammad Husain sells the silken *pagris* and *patashas* mentioned in (a) worth more than one thousand of rupees a year ;
- (d) if so, what action has been taken against the said Muhammad Husain for systematically taking illegal gratification as mentioned in (a) and what steps have been taken to stop the practice of initiating *shagirds* in the Punjab Government Printing Press, Lahore, as mentioned in (a) ;
- (e) if answer to (d) be in the negative, reasons for not taking any action in the matter ?

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

(d) and (e) Do not arise.

RESIDENT MEDICAL OFFICERS, MAYO HOSPITAL.

***2636. Lala Bhagat Ram :** Will the Honourable Minister for Education please state—

- (a) how many resident medical officers are appointed every year in the Mayo Hospital ;
- (b) whether these posts are advertised in the newspapers ;
- (c) if the answer to the above is in the affirmative, why they were not advertised for the appointments made in last June ;
- (d) if the answer is in the negative, how the candidates residing outside Lahore can come to know of dates for the applications, etc., for these jobs ;
- (e) by what communal proportion these resident medical officers are appointed in the Mayo Hospital ;
- (f) whether the merits of the candidates amongst the applicants of the same community are considered or whether their appointments depend on recommendations solely ?

The Honourable Malik Sir Firoz Khan Noon : (a) Six paid and six honorary.

- (b) No.
- (c) Does not arise.
- (d) The selection is confined to the newly passed graduates of the college.
- (e) 50 per cent. Muslims and 50 per cent. non-Muslims.
- (f) The merits of the candidates amongst the applicants of the same community are duly considered by the visiting staff of the hospital and their recommendations are submitted to Government for approval.

RESIDENT MEDICAL OFFICERS, MAYO HOSPITAL.

***2637. Lala Bhagat Ram :** Will the Honourable Minister for Education be pleased to state—

- (a) whether in respect of the resident medical officers at the Mayo Hospital, the communal proportion practice of the previous years especially regarding Hindus has been carried out in the selection of last June ;
- (b) if the answer to the above is in the affirmative, and if it is true that two Hindus used to be appointed in the previous years, the names of those two Hindu candidates who have been appointed in the selection of last June ;
- (c) if Dr. Gurdit Singh Dhillon, is said to be taken as a Hindu candidate, whether the Honourable Minister will place his old records on the table to prove that the said Doctor is not a Sikh but is a Hindu ;
- (d) whether Dr. Gurdit Singh Dhillon, got admission in the King Edward Medical College as a Sikh candidate ;

[L. Bhagat Ram.]

- (e) whether he has not written in his application for the job of resident medical officer that he belongs to a *Jat Sikh* family ;
- (f) if the answer to (a) is in the negative, why according to the practice of the previous years, two Hindus have not been appointed and whether the Honourable Minister intends to reconsider the decision regarding appointments of resident medical officers in the Mayo Hospital ?

The Honourable Malik Sir Firoz Khan Noon : (a) The communal proportion laid down is 50 per cent. for Muslims and 50 per cent. for non-Muslims and this was observed.

(b) Three non-Muslim candidates were selected last June, viz.—

(1) Dr. Kartar Singh Pardesy.

(2) Dr. Sukh Dev Lal Kapila.

(3) Dr. Gurdit Singh Dhillon.

(c) He is a Sikh.

(d) Yes.

(e) Yes.

(f) There are no reasons shown for reconsideration.

SHORT NOTICE QUESTION AND ANSWER.

RECRUITMENT OF SUB-JUDGES.

Sayad Mubarak Ali Shah : Will the Chief Secretary please state—

- (a) whether the attention of Government has been drawn to the article which appeared in the " Civil and Military Gazette " of the 2nd July, 1933, on the subject of appointment of sub-judges, replying to the *communiqué* issued by the Punjab Government on the same subject on the 29th June ;
- (b) whether it is a fact that as stated in that article, four out of the five candidates selected under the rule permitting preferential treatment of relatives of judicial officers belonged to a particular community and class ;
- (c) whether it is a fact that the working of this rule counteracts the effects of the rules requiring that the number of selected candidates should contain a fixed proportion of members of each community and of zamindars ;
- (d) whether the candidates so selected as relatives of judicial officers were lowest in the order of merit among the selected candidates ?

Mr. C. C. Garbett : (a) Yes.

(b) No. Three were Hindu non-zamindars, one was a Muslim zamindar and one a Hindu zamindar.

(c) No. The rule is never allowed to disturb the prescribed proportions. Out of every eleven candidates selected, 4 are Hindus, 4 Muslims, 2 Sikhs and one is of some other minority community, and 50 per cent. (excluding Christians) are invariably zamindars. If, therefore, for example, two Hindus were selected as relatives of judicial officers, two Hindus not falling in this category would be ousted, and members of other communities would in no way be affected.

(d) No. In 1930 the two selected relatives of judicial officers stood 14th and 69th, respectively in the order of merit (the one who stood 69th being a Muslim and a zamindar). In the same year in order to find an Indian Christian it was necessary to go down to the 91st place in the list. In 1931 the two selected relatives stood 6th and 12th in the order of merit, while persons standing 13th, 14th, 16th, 33rd and 73rd had to be selected because they were zamindars or belonged to communities. In 1932 the relative of a judicial officer selected stood 30th while to obtain an Indian Christian it was necessary to go to the 78th place.

Chaudhri Allah Dad Khan : It is said that 50 per cent. of the selected candidates are agriculturists, whereas the percentage recommended by the committee is 60 per cent. Why is it that only 50 per cent. are agriculturists?

Mr. C. C. Garbett : There is a difference between the recommendations of the committee and the orders of the Government thereon. We follow exactly the orders of Government.

UNSTARRED QUESTIONS AND ANSWERS.

GHATTA-MANDI ROAD.

672. Mr. E. Mayadas : Will the Honourable Minister for Agriculture please state—

(a) whether the attention of Government has been drawn to the *Motor Bulletin*, dated the 15th of April 1933, the official organ of the Automobile Association of Northern India, on page 5 of which will be found the following words :—

“(1) That the 50 miles of roadway from Ghatta to Mandi city is in the worst possible condition ;

(2) For the use of these 50 miles, the State levies a toll of Rs. 2 for cars and Rs. 3-8-0 for lorries.

(3) But this is not all. There is a further tax of Rs. 5 and of Rs. 10 to Rs. 20 for lorries up to one ton and over one ton, respectively ;

(4) That these heavy charges are a great disservice to the (Kulu) fruit industry and to the motoring public in general.”

(b) if the facts be as stated above, whether Government proposes taking any action to protect the (Kulu) fruit industry and the motoring public in general?

The Honourable Sardar Sir Jogendra Singh : (a) Government have seen copy of the *Motor Bulletin* referred to.

(b) The matter is already receiving attention of Government.

OPENING OF WINE SHOPS BY THE MUNICIPALITY OF FEROZEPORE.

673. Mr. E. Mayadas : Will the Honourable Minister for Agriculture please state—

- (a) whether it is a fact that the Municipality of Ferozepore is considering the question of one or more wine shops being opened on the Delhi Gate, Mall Road and Baghdadi Gate, Harbhagwan Memorial High School Road ;
- (b) whether it is a fact that the Government High School, Ferozepore, practically adjoins the Delhi Gate City Mall Road ;
- (c) whether it is a fact that the play-ground of the Government High School (known as Hearn Park) is located on the Delhi Gate City Mall Road ;
- (d) whether it is a fact that a Cinema is also located on the Delhi Gate City Mall Road ;
- (e) whether it is a fact that the school boys when going to schools and playground walk along the roads referred to above ;
- (f) whether it is a fact that there is also a church near the meeting point of the roads referred to above ;
- (g) under these circumstances, what action Government intends taking in the matter ?

The Honourable Sardar Sir Jogendra Singh : The requisite information is being collected and will be supplied to the honourable member when ready.

LUNATIC ASYLUM.

674. Mr. E. Mayadas : Will the Honourable Minister for Education please state—

- (a) how many lunatic asylums or mental hospitals there are in the province and where ;
- (b) when these were established ?

The Honourable Malik Sir Firoz Khan Noon : (a) The Punjab Mental Hospital at Lahore is the only lunatic asylum in the province.

(b) On the final annexation of the Punjab in 1849, the British took over the care and custody of 12 lunatics and this was the commencement of the Punjab Lunatic Asylum, Lahore, now called the Punjab Mental Hospital.

LEPER ASYLUMS.

675. Mr. E. Mayadas : Will the Honourable Minister for Education please state—

- (a) how many leper asylums there are in the province, where located and when established ;
- (b) how many of these are maintained at Government expense, how many aided by Government and how many private, with their names ?

The Honourable Malik Sir Firoz Khan Noon : (a) There are five Leper Asylums in the Province located at Rawalpindi, Tarn Taran, Palampur, Ambala and Sabathu. The exact date on which these Asylums were established is not known, but from Government records it appears that with the exception of the Leper Asylums at Palampur which was transferred from Dharamsala in 1917, all the other asylums were established before the year 1897.

(b) All the Leper Asylums named above are maintained by Mission authorities but are subsidised by Government in the shape of capitation grants which are as under :—

Name of Asylums.	Accommodation.	Rate.
Rawalpindi ..	130	Ordinary .. { Adults Rs. 8 per mensem each. Children Rs. 4 per mensem each. Special treatment. { Adults Rs. 13 per mensem each subject to a maximum of 60 patients from among the 130 patients.
Tarn Taran ..	{ Adults .. 220 Children .. 60	Rs. 7 per mensem each. Rs. 3-8-0 per mensem each.
Palampur ..	60	Special treatment. { Rs. 7 per mensem each. Rs. 12 per mensem each subject to a maximum of 15 patients from among 60 patients.
Ambala ..	80	Ordinary .. { Rs. 7 per mensem each. Special treatment. { Rs. 10 per mensem each subject to a maximum of 15 patients from among 80 patients.
Sabathu ..	150	Ordinary .. Rs. 8 per mensem each. Special treatment. .. Rs. 13 per mensem each subject to a maximum of 40 patients from among 150.

So far as is known there is no private leper asylum in the province.

CONVICTIONS UNDER THE SARDA ACT.

676. Mr. E. Mayadas : Will the Honourable Finance Member please state the number of convictions under the Sarda Act in the Punjab during the year ending 31st December 1932 or 31st March 1933, whichever be more convenient ?

The Honourable Sir Henry Craik : One hundred and one persons were convicted under the Child Marriage Restraint Act during the year ending 31st December 1932.

SALE OF CIGARETTES IN GOVERNMENT HIGH SCHOOLS.

677. Mr. E. Mayadas : Will the Honourable Minister for Education please state—

- (a) whether it is customary to have shops at Government High Schools for sale of refreshments to students ;
- (b) whether cigarettes are allowed to be sold at such shops ;
- (c) whether any restrictions have been imposed ; if so, what ?

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

(b) No.

(c) Article 220 of the Punjab Education Code lays down that the use of tobacco by pupils is strictly forbidden.

MARRIED STUDENTS UNDER 18 IN THE CENTRAL MODEL SCHOOL, LAHORE.

678. Mr. E. Mayadas : Will the Honourable Minister for Education please state whether there are any boys in the Central Model School, Lahore, under the age of 18 years, that are married ; and if so, what is their number ?

The Honourable Malik Sir Firoz Khan Noon : Married boys are not now admitted. School is closed and if the honourable member wishes we could collect the information when it opens.

ADMISSION OF MARRIED BOYS UNDER 18 TO GOVERNMENT SCHOOLS.

679. Mr. E. Mayadas : Will the Honourable Minister for Education please state whether Government has taken any action to raise difficulties about the admission of married boys to Government schools who are under 18 years of age ; if so, when were these instructions issued ?

The Honourable Malik Sir Firoz Khan Noon : No such instructions have been issued.

ADMISSION OF MARRIED BOYS UNDER 18 TO SCHOOLS UNDER LOCAL BODIES.

680. Mr. E. Mayadas : Will the Honourable Minister for Education please state whether Government has taken any action to ask local bodies to raise difficulties about the admission of married boys to their schools, who are under 18 years of age, and if so, when these instructions were issued ?

The Honourable Malik Sir Firoz Khan Noon : Attention is invited to the reply given to Council question No. 679 above.

TRAINED PHYSICAL INSTRUCTORS.

681. Mr. E. Mayadas : Will the Honourable Minister for Education please state—

(a) the number of trained physical instructors working—

- (i) in Government schools ;
- (ii) in district board schools ;
- (iii) in municipal schools ;

(b) from what sources those working in (b) and (c) above are paid their salaries ?

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

GIRLS' SCHOOL AND COLLEGES.

682. Mr. E. Mayadas : Will the Honourable Minister for Education please state—

- (a) the number of girls' schools and colleges in the province—
 - (i) Government,
 - (ii) aided,
 - (iii) private ;
- (b) how many physical instructresses there are in these institutions ;
- (c) if the answer to the above be *nil* or nearly so, what action Government intends taking in the matter ?

The Honourable Malik Sir Firoz Khan Noon :

(a)	Girls	
	Schools.	Colleges.
(i) Government	26	2
(ii) Aided—		
Aided from Provincial Revenues	15	1
Aided for local funds	70	..
(iii) Private.		

(b) Arrangements have been made with the Young Women's Christian Association, whereby a lady specially qualified in Physical Training Works as a physical training instructress in girls schools in Lahore.

(c) The question of the appointment of a whole-time physical training instructress for girls schools in the Punjab is under consideration.

BOOTAWAH CANAL.

683. Mr. E. Mayadas : Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that the Bootawah Canal (one of the Gray Canals) in the Ferozepore district, passes under the Sirhind Navigation Channel ;
- (b) if so, the average area irrigated by it before crossing the Navigation Channel and the average area irrigated by it after crossing the Navigation Channel ;
- (c) the names of villages irrigated by this canal after crossing the Navigation Channel, and the average area irrigated in each village ;
- (d) if rice is grown in any of these villages [referred to in (c)], the average area under that crop ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The requisite information is being collected and will be supplied to the honourable member when ready.

BOOTAWAH CANAL.

684. Mr. E. Mayadas : Will the Honourable Member for Revenue please state—

- (a) whether it is a fact that from this year a restriction has been placed on the volume of water carried by the Bootawah Canal, after it crosses the Navigation Channel ;
- (b) if so, the circumstances that have led to this action being taken ;
- (c) if such action has been taken, whether it is likely to affect the irrigated area of villages watered by the Bootawah Canal, after it has crossed the Navigation Channel ;
- (d) if the answer to (c) be in the affirmative, whether they were given notice of this change ;
- (e) if such notice was sent, whether Government will be pleased to lay its copy on the table ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : The requisite information is being collected and will be supplied to the honourable member when ready.

685.
and
686. } *Cancelled.*

WATER IN THE WELLS OF JULLUNDUR DISTRICT.

687. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Member for Revenue kindly state—

- (a) whether it is a fact that the level of sub-soil water in the wells of the Jullundur district is going down gradually ;
- (b) if so, what action Government proposes to take with a view to remedy this evil ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : Apparently the honourable member has not read the *communiqué* issued by Government in May last a copy of which is laid on the table :—

Press Communiqué.

The fall in the water table in the Jullundur and Hoshiarpur districts has long been a matter of anxiety to Government. The researches of Mr. Miller Brownlie and Mr. Wilsdon shewed that the contributory causes were chiefly the denudation of the Siwaliks and the increasing number of irrigation wells : though the riverain tract was also possibly affected by the construction of the Sirhind Canal. The Deputy Commissioner, Jullundur, experimented with "watbandi" in the summer of 1928, and this system has since been approved by officers of the Geological Survey and of the Irrigation Department. It consists in making small embankments round fields and village common lands to hold up rainfall in order that it should percolate to the wells : incidentally, it greatly increases the crop returns of wheat, cotton and sugarcane. It is now in vogue in more than half the villages in Jullundur district but it cannot be introduced in villages with sandy soils. It is probable that tanks to its holding up water for percolation to the wells the fall in the water table of the Jullundur district has been arrested. The re-afforestation of the Siwaliks, where this is possible, and the control of "chos" are progressing steadily. The Commissioner's project for a large number of embankments in the higher reaches of the "chos" in the Siwaliks is being examined : this will require considerable expenditure. Meanwhile the local authorities are concentrating on "watbandi" and it is hoped that the present campaign will in time bring about a rise in the water table.

While Government is sparing no efforts to improve the condition of the tract by every means in its power a great deal can be done by the leaders of the people themselves in explaining to the cultivator the benefits to be derived from "watbandi" and in persuading him to construct "wats" round his fields accordingly ; Government looks to the leading members of the community to further the common weal.

PRICE LEVEL IN JULLUNDUR AND HOSHIARPUR DISTRICTS.

688. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Member for Revenue kindly state—

- the level of prices prevailing at the time of the assessment of the Jullundur and Hoshiarpur districts ;
- the level of prices now prevailing in the said districts ;
- if there is a difference between the price levels prevailing at the time of assessment and now, whether Government proposes to reduce the rate of land revenue in proportion to this difference ? If not, why not ?

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) and (b) Statement showing the commutation prices adopted at these settlements and the prices prevailing then and now is laid on the table. It will be seen that the commutation prices adopted at these settlements are generally lower than the present prices.

(c) Does not arise.

Jullundur District.

	Commutation prices adopted at settlement, 1913 (annas per maund).	Gazette prices, 1913 (annas per maund).	Wholesale prices for fortnight ending 30th June 1933. (Annas per maund).
Sugarcane	66	91	71
Maize	30	37	48
Cotton	92	122	..
Wheat	38	50	44
Gram	30	39	40
Moth	38	..	..
Mish	42	..	..
Rice	33	80	55
Jowar	32	41	(Baked). 41
Bajra	35	55	44
Til	35	..	92
Barley	26	35	38
Tobacco	70	..	..
Linseed	70	..	71
Taramira	30	..	..
FORA	30	..	..
Sorghum	67	..	68

[The Hon'ble Capt. Sardar Sir Sikander Hyat Khan.]

Hoshiarpur District.

	Commutation prices adopted at settlement (Hoshiarpur less Una tahsil). 1911 (annas per maund.)	Una tahsil (annas per maund.)	Gazette prices, 1909-10 (annas per maund.)	Retail prices for fortnight ending 30th June 1933. (annas per maund.)
Jowar	23	..	34	53
Maize	28	26	38	58
Rice	28	28	80 (Husked).	80
Bajra	26	..	43	64
Moth	28	28	..	..
Mash Mung	34	35	..	..
Gur	54	58	80	53
Cotton	72	72	107	58
Wheat	32	30	43	47
Barley	24	..	30	38
Gram	26	24	36	41
Wheat and gram	28	26	..	..
Sarson	56	48	..	..

HOSPITAL FOR MALARIALS IN JULLUNDUR AND LUDHIANA DISTRICTS.

689. Chaudhri Muhammad Abdul Rahman Khan : Will the Honourable Minister for Education kindly state whether it is a fact that the Government proposes to open a new hospital for the benefit of the people inhabiting the malaria-stricken area of the Jullundur and Ludhiana districts on the banks of the Sutlej ; if so, when and if not, why not ?

The Honourable Malik Sir Firoz Khan Noon : The honourable member has presumably in mind the opening of a dispensary at Behlolpur, which the District Board of Ludhiana has not been able to open on account of financial stringency.

ASSISTANT PROFESSORS, MOGHALPURA ENGINEERING COLLEGE.

690. Chaudhri Faqir Husain : Will the Honourable Minister for Agriculture kindly state—

- the number of assistant professors in the Mogulpura Engineering College ;
- the number of Hindus, Sikhs and Muslims, respectively, amongst them ;

- (c) whether any Muslim has ever been permanently appointed to the post of an assistant professor ;
- (d) whether any Muslim applied for the post of an assistant professor in the said College ? If so why his application was rejected ;
- (e) the considerations that led to the appointment of a non-Muslim to this post ;
- (f) whether the said non-Muslim was appointed to this post by virtue of his nationality or by virtue of his qualifications ;
- (g) whether it is a fact that in direct contradiction to the orders of the Government, the following officials have been made permanent in this College :—

S. Sundar Singh Bhatia, Mr. Chopra, Mr. Bhatnagar and Mr. Siri Charan Das ?

If so, why ?

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

(b) Four Hindus and two Sikhs.

(c) No.

(d) Muslims did apply but their academic qualifications and experience were inferior to those of the man selected.

(e) Qualifications.

(f) By virtue of qualifications and experience.

(g) No.

I may point out that no new appointment has been made for the last three years.

ASSISTANT PROFESSOR, MOGHALPURA ENGINEERING COLLEGE.

691. Chaudhri Faqir Husain : Will the Honourable Minister for Agriculture kindly state—

- (a) whether it is a fact that two assistant professors of the Moghalpura Engineering College were sent to England for further study at Government expense ;
- (b) whether it is a fact that on their return from England they were required to teach for 7 periods only in a week ;
- (c) whether they were entrusted with some special work in the college ;
- (d) whether they are receiving an engineer's training in the college at the cost of the rights of other professor ;
- (e) whether these two professors are qualified engineers ? If so, in what department of engineering ;
- (f) whether their engineering qualifications carry any weight so far as the teaching work in the college is concerned ;
- (g) whether it is a fact that one of these professors who is a physicist is receiving instruction in electrical engineering ;
- (h) whether the said professor has received training in electrical engineering in any electrical workshop worth the name ;
- (i) whether the said professor is an expert at drawing ;
- (j) if the answers to the above are in the affirmative, the reasons that led to the appointment of this assistant professor to the post of Electrical Engineer in the college ?

The Honourable Sardar Sir Jogendra Singh : (a) Two assistant professors were granted study leave in 1926-27 and 1928-29, respectively.

(b) It is not a fact.

(c) Yes, one assistant professor in Mechanical Engineering and the other in Telegraphy, Telephony and Radio.

(d) The reply is in the negative.

(e) Yes, one is qualified in Chemical Engineering and the other in Electrical Engineering.

(f) Obviously, yes.

(g) It is not a fact.

(h) Yes, in the electrical workshop of the City and Guilds College, London.

(i) The reply is in the negative.

(j) Does not arise.

REDUCTION OF THE POST OF ASSISTANT PROFESSOR OF PHYSICS.

692. Chaudhri Faqir Husain : Will the Honourable Minister for Agriculture kindly state—

(a) whether it is a fact that some time ago Mr. Staig recommended that the substantive post (assistant professor of physics) of the new Electrical Engineer should be brought under reduction ;

(b) whether this reduction is intended to give the said Electrical Engineer a prior right to a new post ?

The Honourable Sardar Sir Jogendra Singh : The question is not understood. There is no such post of Electrical Engineer in the MacLagan Engineering College and there appears to be no connection between the post of Electrical Engineer to Government and the assistant professor of physics in the MacLagan Engineering College. The Staig Committee recommended the abolition of the post of assistant professor of physics, but Government decided not to make any reduction in the posts of the teaching staff but to make certain changes in the allocation of duties and the assistant professor was transferred to the Electrical Engineering Department of the MacLagan Engineering College.

SUPERINTENDENT OF BOARDING HOUSE, ENGINEERING COLLEGE.

693. Chaudhri Faqir Husain : Will the Honourable Minister for Agriculture kindly state—

(a) whether it is a fact that in the Moghalpura Engineering College a third class B.A., who was working in the grade of Rs. 140—190 was promoted to the grade of Rs. 250—400 and subsequently to the grade of Rs. 250—600 ;

(b) whether the person mentioned in (a) is an engineer ? If not, how is it that a qualified engineer was not promoted to this grade ;

(c) whether it is a fact that the said person has been working as the Superintendent of one of the boarding houses for the last ten years and enjoyed an allowance of Rs. 100 for some years and is now in possession of rent free quarters ;

- (d) whether the claims of any Muslim professor or assistant professor were considered for this post ;
- (e) whether the Superintendent of the other boarding house is also a non-Muslim and that he is also enjoying all the privileges mentioned in (c) above ?

The Honourable Sardar Sir Jogendra Singh : (a) If the honourable member refers to the assistant professor of applied mechanics, the reply is in the affirmative.

(b) He is not an engineer—nor is an engineer required for this appointment.

(c) Yes, except that the allowance was Rs. 50 per mensem which has since ceased.

(d) The reply is in the negative. There are no Muslim professors or assistant professors whose claims could have been considered.

(e) The reply is in the affirmative.

KHAN AZIZ-UD-DIN AHMAD KHAN, E.A.C., AMRITSAR.

694. Khan Bahadur Mian Ahmad Yar Khan Daultana : Will the Chief Secretary kindly state—

(a) the period for which Khan Aziz-ud-Din Ahmad Khan, Extra Assistant Commissioner, Amritsar, has been working in this district ;

(b) whether it is a fact that his father Khan Ilm-ud-Din practised as a Mukhtar for a long time in Amritsar ;

(c) whether it is a fact that the said Extra Assistant Commissioner's brother is the proprietor of a shop in Amritsar city and is a permanent resident of the place ;

(d) whether it is a fact that he is married to a lady who belongs to the Amritsar district ;

(e) whether it is a fact that his sister is married to a gentleman belonging to Amritsar ;

(f) whether it is a fact that the said Extra Assistant Commissioner was educated at Amritsar ; that he joined Government service at Amritsar and worked in different capacities at Amritsar till he was appointed an Extra Assistant Commissioner ;

(g) whether it is a fact that he has worked in different capacities in the Amritsar district for 20 long years ;

(h) if answers to above are in the affirmative, the reasons for not considering him a resident of Amritsar ; and for posting him again and again to this district ?

Mr. C. C. Garbett : (a) As an E.A.C. since 3rd February 1931, with a break of nearly two months. His total period of service in the Amritsar district, since his appointment to the P.C.S. on 8th May 1926, is two years and 4 months.

(b) Yes.

(c), (d) and (e) Government have no information.

(f) He was educated in Amritsar : and most, but not all, of his service before appointment as an E.A.C. was in Amritsar.

(g) Approximately.

(h) The honourable member seems misinformed. He has not yet completed one full term in this district in his present service.

PAPERS LAID ON THE TABLE.

Secretary: Statement showing additions and reductions by the Finance Department in the non-voted grants for the year ending 31st March 1933 is laid on the table.¹

THE PUNJAB TENANCY (AMENDMENT) BILL.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member): Sir, I introduce the Punjab Tenancy (Amendment) Bill.

The Honourable Captain Sardar Sir Sikander Hyat Khan: I beg to move—

That the Punjab Tenancy (Amendment) Bill be taken into consideration at once.

Mr. President: The motion is—

That the Punjab Tenancy (Amendment) Bill be taken into consideration at once.

Mian Nurullah (Lyallpur South, Muhammadan, Rural): Sir, I rise to oppose the motion for reasons which I am going to advance presently. The Punjab Tenancy Amendment Bill desires that in those districts where assessment is to take place or has taken place after the Land Revenue Amendment Act of 1929, came into force the rent should be four times the land revenue, while previously it was only twice the amount of land revenue. To enable the situation to be clearly understood I should like to read the section that is now contemplated to amend. Section 69 of the Tenancy Act reads as follows :—

"(1) A tenant who has cleared and brought under cultivation waste-land in which he has not a right of occupancy shall, if ejected from that land, be entitled to receive from the landlord as compensation for disturbance, in addition to any compensation for improvements a sum to be determined by a Revenue Court or Revenue officer in accordance with the merits of the case, but not exceeding five years' rent of the land :

Provided that a tenant who is a joint owner of land to which this section applies shall not be entitled to compensation for disturbance on ejection from the land or any part thereof.

"(2) If rent has been paid for the land by division or appraisement of the produce or by rates fixed with reference to the nature of the crops grown, or if no rent, or no rent other than the land revenue of the land and the rates and cesses chargeable thereon, has been paid therefor, the compensation may be computed as if double the amount of the land revenue were the annual rent thereof."

Sir, I want to lay emphasis on the two lines, "the compensation may be computed as if double the amount of land revenue of the land were the annual rent thereof."

10 A. M.

This I will explain in detail later on. Now the proviso proposed to be added by this Amendment Bill is—

Provided that in any estate of which the assessment has been confirmed on or after the twenty-second day of February, 1929, the compensation may be computed as if four times the amount of the land revenue of the land were the annual rent thereof.

Before I proceed further, I might suggest that if the words "as if no alteration in the amount of the land revenue had been made" had been there, I would have supported the Bill. From a layman's point of view the amendment apparently looks all right. But to a mathematical mind,

¹Copy kept in the Council Library.

when you work out this amendment practically, when you compare the position of the landlords and the tenants, you will find that this amendment works out adversely to the landlord. Nobody can say for a moment that I am not for tenants; I always work for them, I always keep my tenants in a better position, I advance loans to my tenants on easy terms, charge them no interest. I always help them. But the provision that is now sought to be inserted differentiates between those districts which were assessed before 1929 and those districts assessed later. This I will prove mathematically. Only one condition can satisfy the amendment and that I will make clear. I have just prepared a small formula calculated mathematically. Supposing X is land revenue before 1929 and A is the proposed reduction, then the proposed land revenue would be $X-A$. I suppose honourable members understand this. (*Some honourable members*: No. Please put it in figures). I will come to that later. Now formerly the rent was calculated to be $2X$, that is before 1929 and now it is going to be calculated at 4 times the land revenue, that is, it will be now $4(X-A)$. The equation will be $2X = 4X - 4A$ i.e. $4A = 4X - 2X = 2X$, $A = \frac{1}{2}X$. That shows clearly that to justify the proposed amendment land revenue must be reduced by half.

If you intend to reduce the land revenue in each district by half, then I have no objection to the amendment. I rather welcome it. Now I will explain it in the ordinary way. (*An honourable member*: "What is A ?") A is the reduction that is going to take place in the land revenue. Now I will give concrete figures. Suppose the previous land revenue was in any district Rs. 6 as it is in some acres of mine. Supposing in the future assessment, as it is going to take place in Lyallpur, it is going to be reduced from Rs. 6 to Rs. 5. (*An honourable member*: Why not Rs. 3?) No, because then it will be all right; if you are going to reduce the land revenue to that extent I welcome it and I will have no objection then. But if the land revenue is not going to be half of what it is at present, then my contention stands. But if you reduce it to half, you will not be sitting here. Honourable members will not be getting any travelling allowance and they will not be able to run the Government. If you reduce your income from land revenue from 4 crores to 2 crores, where will you be? As I was explaining, supposing it is reduced from Rs. 6 to Rs. 5. At present your rent is double the land revenue, that is Rs. 12. In future your rent, according to this amendment will be, 5×4 or Rs. 20. Now look at the difference. You will have to pay Rs. 20 instead of Rs. 12. Will it not kill you in these days of depression? What I want the Government to do is to work out a small formula for the use of the revenue officers. I will tell you a simple formula and if the Government adopts it, I will not oppose this Bill. Supposing R is the rental before 1929, which is naturally $2X$ if X is the land revenue. Suppose Y to be the land revenue after 1929. To put him in the same position as before, you will have to instruct your revenue officers. For that purpose, divide the present land revenue by the previous land revenue and multiply it by the square of previous revenue over the present revenue and double this. That will place the tenant exactly in the same position as before. That gives you $2X$; $\frac{Y}{X} \times \frac{X^2}{Y} \times 2$ = $2X$.

The Honourable Captain Sardar Sir Sikander Hyat Khan : May I ask the honourable member if this very simple formula of his has been understood by honourable members sitting on those benches ?

Mian Nurullah : Let them have time to think over it. Then they will understand it.

Mr. President : Will the honourable member hand over a copy of the formula to the Leader of the House ?

Mian Nurullah : I have already given him a copy. Now I will explain it in figures. Supposing the previous land revenue was Rs. 6 and after reduction it will be Rs. 5. Now X is equal to 6 and Y is equal to 5. So I say $5/6$ should be multiplied by $6 \times 6/5$ and the result multiplied by two. That gives you the same result as before. I have proved clearly that putting the rent at four times the land revenue keeps the tenant in a much better position than he would be otherwise and to increase it still further is still more unjustifiable. I will work out another concrete example for the benefit of honourable members. Now supposing Government grants a square of land as it has done to many of our friends here in Pir Mahal and that land is to be cleared by a tenant and you have to pay him at the present rates. Now to take an instance, the average land revenue in Lyallpur at present is, as my honourable friend, Sardar Bishen Singh told me, Rs. 4-9-0. According to the existing figures double this will be the rental value, that is Rs. 9-2-0. Now if you multiply it by 25, it comes to Rs. 228-2-0, which will be rental on a square of land. Now suppose the land revenue is reduced from Rs. 4-9-0 to say Rs. 4, to take a round figure. The rental, according to the proposed Bill, will be 4 times that is Rs. 16 on one acre and it comes to Rs. 400 on a square. Instead of paying Rs. 228-2-0, as at present, you will have to pay Rs. 400 to a tenant whom you want to eject. I suppose honourable members have realised the difference. I have worked it out for them. Thus I have made it clear that this Amendment Bill as it stands is very much prejudicial to the interests of the landlord, as against his tenant. If the object of the Amendment Bill is to maintain the *status quo* between the landlord and the tenant, as is mentioned, then, this Bill does not achieve that purpose. That is one reason why I oppose this Bill. Another reason is this. Suppose Lyallpur is assessed to-day and Sheikhupura has been assessed before 1929. Then the Bill will differentiate between the tenants and the landlords in Lyallpur as against those in Sheikhupura, because so long as sub-section (2) of section 69 of the Act stands as it is, you are not putting those districts which have been assessed before 1929 in the same position as those assessed after 1929. That is another reason why I want to oppose this Amendment Bill. I thought that the Government would not like to interfere with the Tenancy Act in a piecemeal way by bringing such technical amendments as this. If it had any sympathy with the tenants as it must have and if it wanted to put them in a better position, to which I would certainly agree, then they should remove sub-section 2 and provide relief for the tenants in all the districts. The Act as it is has stood for a long time and should not be tampered with in this way. If the object is to help the tenants, then it can be done by the amendment of other sections such as sections 77, 40 etc., of the Tenancy Act. That will bestow some real benefit on the tenant whom no doubt all of us want to help. I therefore oppose the Amendment Bill as it stands.

Pir Akbar Ali (Ferozepore, Muhammadan, Rural), (Urdu): Sir, in order that the real position of this Bill may be lucidly put before the House I would like to make a few observations. Section 69 of the Tenancy Act deals with those tenants who are responsible for making a *barani* tract of land fit for cultivation. It lays down, therefore, that in case a tenant is going to be ejected from the land he reclaimed he should be given compensation for his disturbance. The compensation, in view of his labours in the direction of making the land fit for cultivation, is fixed to be equal to five years' rent of the land concerned. But if no rent be fixed in cash then double the land revenue is to be considered as the rent for one year and the compensation is to be calculated for five years in the light of the afore-mentioned provision. As a matter of fact 50 per cent. of the net assets was fixed, primarily, to be the land revenue. Thereafter the Government thought it fit to fix the land revenue at 25 per cent. of the net income from a piece of land. But though originally the standard was fixed at 50 per cent. of the net assets, yet the actual receipts of the Government never exceeded 25 per cent.

Diwan Bahadur Raja Narendra Nath : No, the fact is that the Government dues were calculated up to the limit of 37½ per cent. of the net assets.

Pir Akbar Ali : I think the Government dues have ranged from 15 to 37½ per cent.

Diwan Bahadur Raja Narendra Nath : No; exactly 37½ per cent.

Pir Akbar Ali : Since the Government reduced their own standard of realisation from 50 per cent. to 25 per cent. it is but fair that the compensation of the clearing tenant should also be doubled. On that score, therefore, I am at one with the Government and would not oppose this Amendment Bill. But here I would like to make one submission and if, after hearing that, the Government is of the opinion that there is practically no need of making the proposed change in the existing law on the point, let us hope they would not press this measure. The Tenancy Act was passed in 1887 and subsequent to that year the resettlement of every district in the province has been made. The Act was passed by those officers who were experts in their work. Every one of them had participated in the work of more than one settlement. Moreover, the officers who were entrusted with the work of applying this Act to the specific instances were well versed in their work. They also knew that the landlord had given so many concessions to his tenant when the latter occupied his land. It would not be unknown to the Raja Sahib that in some cases the rent to be paid by the tenant was fixed to be equal to the land revenue. Why was this concession granted? The landlord knew it well that it was not an easy thing to make the barren land fit for cultivation in days gone by. It was because water was not to be found easily and the present irrigation facilities were simply unheard of. Therefore the tenants were asked to pay a very liberal rate of rent. So the rent to be paid by the tenants was very low in 1887. The high Government officers were also quite familiar with the conditions of the tenants. The deputy commissioners of those days were not like the deputy commissioners of the present time. They personally inspected the work of *jamabandis* and *girdawaris*. They knew full well the difference between

[Pir Akbar Ali.]

the tenants of *chak rohi* and those of *chak bet*. But the officers of our days do not seem to be conversant even with such simple procedures that no decree follows the acceptance of a mutation of land. The officers of the olden times not only framed the Tenancy Act but they were the framers of the Punjab itself.

Mr. President : Will the honourable member please avoid repetition ?

Pir Akbar Ali : Now I would like to give a practical instance. If in 1887 the land revenue of an acre of land were Re. 0-8-0 the rent calculated in terms of revenue would be Re. 1 for a year and thus the tenant at the most would be entitled to Rs. 5 only. If the land revenue of the land tenanted is, on the other hand, Re. 1 the clearing tenant will be entitled to a compensation of Rs. 20 according to the proposed amendment.

Mr. President : I cannot allow repetition. I think all gentlemen understand and no one has raised his voice that he does not.

Pir Akbar Ali : At the time of making a new settlement in 1929 it could never be expected that the land revenue would ever fall so low as it was in the year 1887. Moreover there is one redeeming feature in all this transaction. The tenants are no longer confronted with those difficulties which fell to their lot in or before 1887. Irrigation and other methods of cultivation have made a very considerable improvement since that time. So, it is far easier now to cultivate a land than it was in the days gone by. So, if we observe the conditions of the land and other changed circumstances we are sure to conclude that there is no need for enhancing the compensation of the clearing tenants. The compensation as provided by section 69 of the Tenancy Act would suffice to meet all requirements of the case. With these words, Sir, I resume my seat.

Sardar Arjan Singh (Hoshiarpur and Kangra, Sikh, Rural) : I do not think any lengthy speech is needed over this amendment. Section 69 certainly deals with disturbance of tenants-at-will and this is not the time for discussing the principle of land revenue. The proper time for that was when this Act of 1928 was passed. It was for us, for the people to say whether the Government had actually been realizing or assessing land revenue to the extent of one-half or one-fourth. Now I think we cannot have it both ways. A simple calculation would mean like this. Suppose we got Rs. 16 worth of produce out of a piece of land, according to the principles that have been laid down in the amending Act of 1929 the land revenue on that piece of land would be to the extent of $\frac{1}{4}$, i.e., Rs. 4, and four times that amount would be $4 \times 4 = 16$, that is, that would be the annual produce. Before the Act was passed the Government were realizing Rs. 8 and twice that sum would amount to Rs. 16, i.e. the sum of compensation would be the same in theory at least in both cases. Therefore the Amendment Bill is only a logical corollary of the amending Act of 1928 that the tenant should get what he would get according to the law of 1928. I believe that it is already too late and the sooner this Bill is passed the better. With these few words I support the motion and resume my seat.

Mr. Mukand Lal Puri (Punjab Industries): Sir, the opposition which has been made to this measure by Mian Nur Ullah is hardly justified by the nature of the measure which is before the House. Section 69 of the Tenancy Act provides for giving compensation to tenants who are about to be ejected and who have spent labour on bringing the land under cultivation. It is not compensation for improvements which is provided for separately. The Tenancy Act naturally provides that a man who has spent his labour upon bringing the land under cultivation should be paid something for it. Now that something has to be determined by revenue officers or courts. A revenue officer on the evidence laid before him has to determine in each such case the actual money value of that labour. Section 69 however lays down a maximum in favour of the landlord. It lays down that that compensation which is to be judicially ascertained in each case on evidence led in the case, and according to the particular circumstances of the land and labour shall not exceed 5 times the rent. Well that is the maximum limit of compensation which the courts may award for breaking up the land. If cash rent is fixed with respect to any area of land no difficulty arises and there is no need of making any further enquiry. But in this country as everywhere else cash rents are not always fixed and the land is usually let on *batai* or on taking a certain percentage of produce and therefore an artificial rule has to be laid down for determining the cash value of the rent in such cases. The legislature in the proviso to section 69 lays down a rule for guiding the officers in their discretion and the rule is, that rent may be taken to be twice the land revenue. The words are that the rent 'may be' and not 'shall be' twice the land revenue. That is, in the absence of any other test which shall guide the revenue officer in determining the rent a rule of thumb is laid down that it may be taken to be twice the land revenue. This Council has recently amended its Land Revenue Act and whereas it was previously provided that the maximum land revenue which may be charged from any estate shall not exceed one-half of the net income from the land, the Act of 1929 laid down that it shall not exceed one-fourth of the net income from the land. The land revenue we know, was in most cases less than one-half of the net rent, although the maximum was one-half. Now by virtue of the Act of 1927, the maximum is one-fourth, and the land revenue may be less than one-fourth and we hope, it shall be less than one-fourth in many cases. The present Act is, therefore, merely a consequential amendment necessitated by the Land Revenue Amendment Act which was passed in 1929. The present Bill provides that for the purpose of determining rent under Section 69 of Tenancy Act, rent shall bear the same proportion to the maximum land revenue now under the Act of 1929, as it did under the old Act. It is very rarely that a case of this kind comes before the revenue courts and there are lawyer members here who would bear me out in that statement. It is, therefore, not a matter of frequent occurrence and when one measure for determining rent was laid down in certain hypothetical circumstances under the old Act, there is no reason why that measure should be changed and why the consequential change, rendered necessary by the amendment of the Land Revenue Act, should not be reproduced in the Tenancy Act. The maximum land revenue was one-half the net rent before and it is one-fourth now. One-half was the maximum then and one-fourth is the minimum now. The rent should bear the same propor-

[Mr. Mukand Lal Puri.]

tion to the land revenue. I am surprised that this Council while it professes love for the poor cultivator is not prepared to tolerate the remote chance and a remote contingency of a tenant getting something, a fractional share more than what he is entitled to under the present practice. I submit that from big landholders in these days of agricultural depression much better consideration for the lot of the poor tenants was expected than has been shown by the speeches made in this House. I say there is a very remote possibility, if at all, of a poor tenant benefiting at the cost of the landholder. Is it fair that this House should grudge even this remote possibility? I wholeheartedly support the amendment which is a purely consequential amendment and which should have been accepted without any discussion.

Khan Bahadur Shaikh Din Muhammad (East and West Central Towns, Muhammadan, Urban): It was a non-controversial measure and merely a consequential amendment that was introduced by the Tenancy Amendment Bill. Unfortunately the honourable member from Lyallpur opposed the measure on the basis of some algebraic equations and mathematical problems that apparently confused him. Most sincerely and in the most friendly spirit I warn the honest and simple zamindars of the Punjab against the intricacies of Mathematics and Algebra. If they are so enamoured of the methods the money-lenders employ in dealing with their clients, they also would soon meet the same fate. These equations and these calculations are not meant for the Punjab peasantry and it is to this uncalculating and unmathematical nature of theirs that they owe so many sterling virtues with which they are at present endowed. The measure as has been explained by the honourable member from Lahore, who has spoken just before me, is quite simple. This Council amended a certain Act a few years ago. It appeared to the Revenue Department that that necessitated a further amendment in the Tenancy Act and that amendment is being introduced in the Punjab Tenancy Amendment Bill. There was absolutely no occasion for opposition, no occasion for indulging in those mathematical equations and no occasion for any outburst that has been made against the provisions of this Bill. It surely did not necessitate any speech at all on this occasion. I would, therefore, appeal to the honourable members of the House to take this measure in its plain sense and to support it wholeheartedly.

Diwan Bahadur Raja Narendra Nath (Punjab Landholders, General): I have not much to add to the speeches that have already been made in elucidating the object of the Bill. And I hope my honourable friend the member from Lyallpur will be induced to withdraw his opposition. But I differ from the previous speaker when he deprecates the calculating tendency created amongst the zamindars. I welcome it. I think that it is a capacity which is very much needed. If they can bring their knowledge of Algebra and Arithmetic to bear upon their daily transactions so much the better. But that application must be made with a clear understanding of the propositions before us. Muddle-headedness ought to be avoided. I have not much to add, as I have already remarked, to the speeches which have been made. The law regarding compensation to be given in cases of disturbances for clearing tenants is explained in the Act. The necessity for its amendment has also been fully explained by previous speakers. All that I wish to say is this,

that the maximum rate is fixed by the law at five times the rent. The revenue officers and revenue courts have the fullest authority to award compensation below that limit in varying proportions in accordance with the merits of the case which is before them. The discretion of the court is limited only by the maximum laid down in the law. Below that maximum they may give four times, three times or even twice the rent. The circumstances to which my honourable friend from Ferozepore has adverted can be taken into consideration by the officer who assesses the compensation. If he finds that the labour bestowed on clearing the land is not of very great value and that very little was done in that direction he can award thrice the amount of rent. The difficulty arises only in cases in which no cash rent is fixed but *batai* rents are taken. There, how the calculation has to be made presents some difficulty and the directions given by the Act are that in those cases twice the amount of land revenue is presumed to be the rent. In the various districts of the Punjab, as my honourable friend the member for Lyallpur knows, the land revenue is not always half the rent. I mean to say the rent is not always twice the amount of land revenue. The proportions differ and in some districts Government has taken 37 per cent. of the net assets of the landholders. In others the proportion rises to about 45 per cent. For all those cases the direction which is laid down in the law is that twice the amount of land revenue should be presumed to be the rent. As the proportion which the Government are authorised to take is lowered, the rate of calculation with regard to rent must be increased. That is all. There is a general direction in the existing law and there is a general direction in the future law which is capable of adjustment according to the discretion of the officer. The amendment is only a consequence of the amendment which we have already made in the Land Revenue Act. Of course if a little more goes to the clearing tenant I do not think we should regret it. If he is treated more generously and more compassionately I do not think we should express any regret and we ought to put no barriers or very strict laws against the exercise of discretion in his favour. As far as my experience goes, I think that in future these cases will be very few. There will be very few clearing tenants and the occasion to use this provision of law will be rare. I do not think we ought to waste much time in contesting the desirability of the measure which has been put before us by the Honourable the Revenue Member. With these words I request the honourable member from Lyallpur to withdraw his objection.

ਸਰਦਾਰ ਸਾਹਿਬ ਬਰਦਾਓ ਉਜਲ ਸਿੰਘ (Sikh, Urban): I do not rise to oppose this Bill but I do want to explain that the proposition put forward by my honourable friend from Lyallpur was perfectly correct, namely that the zamindar or the landholder is going to be adversely affected. The reason is this. The amendment Bill is not a consequential measure. Of course on paper it is so but in practice it is not. The reason is that the Government dues are theoretically fixed at 50 per cent. of the net assets. But in practice the Government never charges more than 37 per cent. Government dues range from 20 to 37 per cent. Even if you take the average at 30 per cent. the amount of compensation to the tenant would be ten times the amount of land revenue. I shall give the House a concrete instance. For example, if the net assets are Rs. 10 per acre the land revenue would be Rs. 3 and the compensation to the tenant would be Rs. 30, taking it at the

[S. S. Sardar Ujjal Singh.]

maximum. But under the new amendment Act, if the net assets are Rs. 10 land revenue will be Rs. 2-8-0 and the compensation permissible to the tenant would be Rs. 50, because for the purpose of compensation we have to take four times five that is, 20 times the amount of land revenue. Whereas previously under the existing condition the tenant would get Rs. 30 as the maximum he would now be able to get Rs. 50. So the landholder does stand to lose to the extent of Rs. 20 per acre. I do not grudge that compensation to the tenant. I would rather willingly give it, but the position must be clearly understood that the landholder does stand to lose to the extent of Rs. 20 an acre if he were to give full compensation to the tenant.

Shaikh Abdul Ghani (West Punjab Towns, Muhammdan, Urban) : Sir, I have not the Tenancy Act before me but it appears to me that we have drifted into a sort of academic discussion. The opening words of the section make it clear that in its application this important section 69 is restricted to cases in which a tenant for the first time enters upon land which he breaks up himself, that is, he enters upon land which was never ploughed or that he enters upon land that was waste land. He clears it and, therefore, in order to compensate for this extra trouble apart from the particulars of improvements he makes, there is the provision, so that the tenant may not be a loser by it. As pointed out by Diwan Bahadur, I do not think that there is any occasion for wrangling over this matter as most of the land in the province has been brought under cultivation and it will be in extreme and rare cases that in future tenants will be entering upon land that has not yet been broken up by anybody. It is clear from the opening words of the section that this measure is restricted only to a very small class of cases and being a lawyer myself I know that this section is being put into practice only very seldom, and according to my learned friend Sardar Ujjal Singh this new provision is a bit liberal for the tenant. After all we must understand that we are in a way interpreting it a bit liberally.

Diwan Bahadur Raja Narendra Nath : The liberality will depend upon the officer.

Shaikh Abdul Ghani : That is what I am saying. We need not waste any more time. The measure is very sound and salutary and the amending Bill as put forward by the Honourable Mover for consideration is necessitated by what the House itself has tried to do to improve the law.

Mr. M. A. Ghani (Nominated non-official) : When I received notice of this I thought that it was a merely formal measure, but I am surprised that a certain amount of opposition has been made to this formal measure also. I am very glad that a number of honourable members have supported this amending Bill and I hope that the honourable member from Lyallpur with all the love that he has got for the tenants will withdraw this opposition.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) : Sir, it is hardly necessary for me to make any speech at all after the very lucid explanation and reply given by the lawyer members of this Council to the honourable member for Lyallpur. His formula no doubt may be simple if it is carefully looked into by those who have read Algebra and Arithmetic, but I am afraid it will be difficult for the patwaris

to understand it, and as a matter of fact, the honourable member after making his speech had to leave the House to try and explain to the honourable members outside the lobby what the formula really meant. But assuming for a moment that the tenant would be slightly benefited under this amendment, it ill-behoves this House or the zamindar members of this House who represent the landlord class that they should not allow the tenants that little margin. It has been very clearly explained by my friend on my right that it would not make any difference at all so far as the actual application of this amended Act is concerned, because if you read it you will see that it merely puts down a guide for the Government officers on which they have to base their decision. It is not at all mandatory that they must give that amount. The same was the case previously. What the honourable member from Lyallpur desires is that there should be a permanent settlement so far as the tenants are concerned. That would be an impossible position, and I do not think that the honourable member realises it, for if he had realised it I am sure he would not have objected to this Bill. It is not mandatory at all and it is merely a guide, and I would appeal to the members opposite who represent the landowners class not to create an impression outside that they are opposed to the tenants as a whole. That would be detrimental not only to their own interests but to the interests of the province as a whole. I hope that there will be no further opposition to this Bill.

Mr. President : The question is—

Mian Nurullah : Sir, am I not entitled to make a reply ?

Mr. President : The honourable member never moved a motion. He had only made a speech against a motion. Therefore, he has no right to speak a second time.

Mian Nurullah : Sir, I was going to say that in consonance with the wishes of the House I would like to withdraw.

Mr. President : Withdraw what ?

Mian Nurullah : I meant to withdraw the opposition. Many references have been made to the sympathy of the landlords.

Mr. President : I cannot allow a second speech.

The question is—

That the Punjab Tenancy (Amendment) Bill be taken into consideration at once.

The motion was carried.

Mr. President : The Council will now proceed to discuss the Bill clause by clause.

The question is—

That sub-clause (2) of clause 1 stand part of the Bill.

The motion was carried.

CLAUSE 2.

Chaudhri Allah Dad Khan (Ambala division, North-East, Muhammadan, Rural) : Sir, I beg to move—

That in the proposed proviso, line 6, for the word 'four', the word 'five' be substituted.

I am not going to make a long speech in support of this small amendment. It is laid down that the limit of assessment shall be one-fourth of the estimated money value of the net assets. This law was enforced after 1929.

[Ch. Allah Dad Khan.]

The amendment proposed is, therefore, a consequential one. If one-fourth had been taken there would have been no need for an amendment, but I say, Sir, that the estimate laid down in section 69 for these tenants is already an underestimate for their compensation and therefore you may take this opportunity of correcting the mistake which exists in the Act. In 1887 the circumstances were different but now the prices of things have gone up and even at this time of depression the rates compared with the rates of 1887 are very much more, and therefore this opportunity may be taken to correct the error and to bring things in harmony with the circumstances of the present day.

I will now come to the point which justifies this amendment. The estimate is based upon the land revenue but the honourable member and the other Government officers know that in no estate is an assessment taken up to the maximum of one-half of the net assets. It is in every district below that. Therefore, the compensation to the disturbed tenants should be more reasonable. If the estimate were up to half in the districts settled before 1929, of course four times may have represented the rent. But as I have said the estimate in every district has not been that, it is in every district below that. I will mention the names of such districts; Ambala, Karnal, Gurgaon, Rohtak, Hissar, Jullundur, Kangra, Gurdaspur, Multan, Lahore, Rawalpindi, Jhelum, Gujrat, Shahpur and Amritsar are certainly some such districts. In my opinion the assessment varies in different districts. Taking that into consideration we realise that the rent is never correctly estimated as double the land revenue because land revenue is assessed up to one-half of the rent assessed. It is only the maximum and even the very section belies it, because in section 69 it is stated that where there is no cash rent fixed the rent may be considered as land revenue and rates and cesses thereon.

Mr. President : Does the section say so :

Chaudhri Allah Dad Khan : It says that where there is no rent fixed the land revenue and rates and cesses assessed thereon may be considered as the rent.

Mr. President : Will the honourable member please read the section ?

Chaudhri Allah Dad Khan : I do not know the exact words but section 69 (b) says—

Mr. President : Section 69 (b) reads :—

“ If rent has been paid for the land by division or appraisement of the produce or by rates fixed with reference to the nature of the crops grown, or if no rent, or no rent other than the land-revenue of the land and the rates and cesses chargeable thereon,—.....”

Chaudhri Allah Dad Khan : Therefore rent is land revenue and rates and cesses thereon. I was submitting that the estimate which is put down under the section is not a correct one. We must take this opportunity to make it conform to actual circumstances. I shall give an instance. Suppose I have got one *bigha* of land and I charge Rs. 3 for it which is usually the rent. That will be the rent. That will be my income. Now look at the land revenue I pay. The land revenue at the maximum is about six annas including the district board cesses. Now, can it be said that I am getting

11 A.M

only double the amount of land revenue? In accordance with this I should get only twelve annas whereas I get Rs. 3. It is for this reason that I suggest that you should put it at five times. This would be nearer to the correct estimate of rent.

There is another plea also. My honourable friend from Ferozepore said that there were not so many difficulties now in breaking of land as in the days of 1887. On the other hand the difficulties are more now than before. On account of irrigation and other facilities forests and other troublesome things have grown up. Besides, it is now more difficult to cultivate land than it used to be before. It is on that consideration also that there should be more compensation to the tenants.

I may perhaps describe the difficulties of the tenants so that honourable members may be in a position to appreciate my point. They work in the hottest sun when if we pass along the road we may get sunstroke. While I was travelling in the *ilaga* of Mianwali I had to go from a railway station to a village when I saw a tenant ploughing his land and clearing it during the hottest part of the day. It was a hot day and though I did not get sunstroke, I felt it very difficult to pass through in the sun. The Government professes sympathy for the tenant and yet this is the sort of sympathy it evinces. It is not this sort of lip sympathy that the zamindars want. The Government should not work on arithmetical principles. It should be guided by considerations of sympathy and humanity. On these grounds I suggest that it would be very well if this amendment is accepted. If you want to assess right compensation there should be no fear of making the provision a little more liberal. The tenants should have the satisfaction that their cases are not going by default. I know that there is hardly a representative of the tenants in this Council whereas these gentlemen have come here on the vote of those very tenants. I may assure the House that if the tenants are not well off the land owners too cannot hope to be well off. I have only to remind the honourable members of what happened in the United Provinces. There the tenants rose in revolt and murdered a number of landlords only on account of such troubles. With these words I commend my amendment for the acceptance of the House.

Mr. President : Clause under consideration, amendment moved—

That in the proposed proviso, line 6, for the word 'four' the word 'five' be substituted.

D. B. Raja Narendra Nath (Punjab Landholders, General) : I am surprised to hear the speech from an honourable member who has been a revenue officer for a long time. He is evidently confusing the object of the Bill. The object of the Bill is not to liberalise the provisions for the tenants, but to keep the degree of liberalism and consideration for the work of the tenants to the extent to which the previous law allowed.

Coming to the argument of the honourable member, I ask, why should it be limited to five times and not to six times or seven times? When we take up the question of showing sympathy to the tenants there can be no limit which we can fix to the way in which rent is to be calculated. The object of the law is simply to make a consequential change. This Bill has been necessitated by the change made in the Land Revenue Act and nothing more. I think the honourable member has misunderstood the object of the Bill. With this explanation, I hope the honourable member will withdraw his amendment.

The Honourable Captain Sardar Sir Sikander Hyat Khan (Revenue Member) : Sir, as my honourable friend the Raja Sahib has pointed out, the main object of this Bill is to remove any disadvantage to the tenant which might result on account of the enactment of the Land Revenue Amendment Act of 1928. This being the object of the Bill I think the speech which the honourable member for Karnal has made is neither relevant nor warranted. I entirely agree with him that the tenants should be shown every consideration, but that question does not arise in connection with this Bill. As Raja Sahib has pointed out, the honourable member's speech indicates a confusion of ideas and thought over this matter. I hope he will withdraw his amendment.

Chaudhri Allah Dad Khan : My object in moving this amendment was to indicate the under-estimate made in the law and I thought I might give an opportunity to Government to make the necessary change in the law. I now find from the opposition of the Government to my amendment that it is not actuated by any considerations for the tenants. The amendment is not accepted, although it is a necessary one, because it comes from opposition as the poet says :—

کچھ تک کب انکی بزم میں آتا تھا دورِ جام
ساقی نے کچھ ملا نہ دیا ہو شرابِ مہن

I have put down a very correct proposition and yet the Government is not willing to accept it. If the Government is not willing to take this opportunity of setting right the invidiousness shown to the tenants, they are quite welcome. I, therefore, beg leave to withdraw the amendment.

The motion was by leave withdrawn.

Mr. President : The question is—

That clause 2 stand part of the Bill.

The motion was carried.

Mr. President : The question is—

That the preamble stand part of the Bill.

The motion was carried.

The Honourable Captain Sardar Sir Sikander Hayt Khan : Sir, I beg to move—

That in sub-clause (1) of clause 1, for the figures ' 193 ' the figures ' 1933 ' be substituted.

The motion was carried.

Mr. President : The question is—

That sub-clause (1) of clause 1 stand part of the Bill.

The motion was carried.

The Honourable Captain Sardar Sir Sikander Hyat Khan : I move—

That the Punjab Tenancy (Amendment) Bill be passed.

The motion was carried.

The Council then adjourned sine die.

PUNJAB LEGISLATIVE COUNCIL.

APPENDIX.

Final answers to questions for which *ad interim* replies are printed in Volume XXIII of Council Debates.

ANSWERS TO STARRED QUESTIONS.

BRIDGE ON SIRHIND CANAL.

(Answer to Question No. 2139, page 3 ante.)

The Honourable Captain Sardar Sir Sikander Hyat Khan : Of the eight villages mentioned in the petition, only one, namely, Bukali lies in British territory. No land in this village has been damaged by water-logging. The question of compensation therefore does not arise.

LOCAL RATES IN COLONY TOWNS.

(Answer to Question No. 2159, page 13 ante.)

The Honourable Dr. Gokul Chand Narang :

* * * * *

(h) and (l) Necessary orders have been issued by the Deputy Commissioner, Multan, for the recovery of the amount of local rate which was written off.

CRIMINAL APPEALS FROM ROHTAK AND KARNAL DISTRICTS.

(Answer to Question No. 2186, page 54 ante.)

The Honourable Sir Henry Craik : The attached statements give the information required by the honourable member.

Statement showing number of criminal appeals preferred to the High Court of Judicature at Lahore, from the districts of Rohtak and Karnal in 1924, 1927, 1931 and 1932 and number of Jail appeals among them.

Year.	KARNAL.			ROHTAK.		
	Through Jail.	Through Counsel.	Total.	Through Jail.	Through Counsel.	Total.
1924	9	12	21	15	5	20
1927	24	30	54	4	12	16
1931	35	21	56	48	14	62
1932]	18	17	35	66	29	95

Statement showing the number of criminal appeals preferred to the Sessions Judge of Rohtak and Karnal in the years 1924, 1927, 1931 and 1932 and the number of Jail appeals among them in the same year.

			Rohtak.		Karnal.	
1924	..	..	95	} 158	218	} 301
		Jail	63		Jail 83	
1927	..	..	124	} 192	159	} 283
		Jail	68		Jail 124	
1931	..	..	154	} 261	390	} 505
		Jail	107		Jail 115	
1932	..	..	227	} 345	241	} 404
		Jail	118		Jail 163	

DISTRICT AND SESSIONS JUDGE FOR ROHTAK.

(Answer to Question No. 2187, page 85 ante.)

The Honourable Sir Henry Craik : (i) (a) and (b) Two statements are attached.

(ii) (a), Karnal, Ambala, Gurdaspur, Hoshiarpur, Dera Ghazi Khan and Montgomery.

(ii) (b) While the number of murder and culpable homicide cases is generally greater in Rohtak and Karnal than in the other districts mentioned in (i) (a) of the honourable member's question, four of those districts also each share a Sessions Judge with another district; as regards the others the total amount of work, civil and criminal, in the sessions courts during 1981, was greater in Montgomery and Gurdaspur than in either Karnal or Rohtak; only in Dera Ghazi Khan was it less. From that district it was recently found necessary to withdraw the Sessions Judge for a few months owing to the paucity of institutions.

(c) In 1981 and 1982, 100 and 125 civil appeals respectively were transferred to Delhi and none in 1980. No transfer to any other district was made during the last three years.

(d) During the last three years an additional District and Sessions Judge was appointed for Karnal-cum-Rohtak from the 1st December 1980 to the 16th October 1981. An additional officer was appointed to Karnal only from the 9th November 1982 until the termination of the Nirwana train escape case at the end of February last. An officer was appointed to Rohtak only from the 24th November 1982 to the 30th November 1982 and again from the 5th January 1983 to the 4th March 1983. During the same period an Assistant Sessions Judge was appointed to Rohtak from the 5th October 1981 to the 20th December 1981, again from the 6th June 1982 to 12th August 1982 and then again from the 15th August 1982 to the 26th November 1982.

(e) The pay of all Public Prosecutors has only recently been revised after full consideration of the work they are called upon to do and Government are aware of no reason why that of the Public Prosecutor of Rohtak should be reconsidered.

(f) The existing arrangement was introduced in 1914 when the number of sessions divisions was raised to 22. As there were 28 revenue districts it was not found possible to constitute each a sessions division with the result that certain districts had to be grouped together, and it was finally decided to couple Rohtak with Karnal. Karnal was "presumably" selected as the headquarters because of its central situation and of the ease of access to the neighbouring districts. While there is undoubtedly some case for the formation of separate sessions divisions for Karnal and Rohtak, there is an equally strong case for the separation of Lyallpur from Sheikhupura, of Multan from Muzaffargarh and of Hissar from Gurgaon. In present financial circumstances, Government cannot afford the large expenditure, recurring and non-recurring, which would be entailed by the splitting up of any of these combined charges. For the present the existing practice of giving assistance, when necessary, by the appointment of an Additional Sessions Judge must be continued.

(g) The permanent recurring expenditure would be approximately Rs. 83,000 per annum. It is difficult to give an estimate of the capital expenditure involved but the cost of constructing a sessions court would be in the neighbourhood of Rs. 60,000.

Statement showing the numbers of murder cases and cases of culpable homicide found as true in the districts noted below in the last three years.

	1930.		1931.		1932.	
	Murder cases.	Culpable homicide.	Murder cases.	Culpable homicide.	Murder cases.	Culpable homicide.
Rohtak ..	29	17	46	10	37	25
Karnal ..	26	4	23	14	21	15
Ambala ..	15	9	25	5	12	12
Gurdaspur ..	10	..	15	7	21	8
Hoshiarpur ..	13	2	11	1	14	5
Dera Ghazi Khan ..	2	10	18	10	18	16
Muzaffargarh ..	10	1	9	6	8	6
Montgomery ..	15	31	38	37	27	33
Jhang ..	19	10	24	4	21	8

(i) (b).

Name of district.				1930, 1931 and part of 1932.	Part of 1932.
				Rs.	Rs.
Rohtak ..	..	..	..	500	500
Karnal ..	..	..	..	650	500
Ambala-cum-Simla ..	..	..	..	650	650
Gurdaspur ..	..	..	..	750	650
Hoshiarpur ..	..	..	..	750	500
Dera Ghazi Khan ..	..	..	..	750	500
Muzaffargarh ..	..	..	..	500	500
Montgomery ..	..	..	..	1,050	900
Jhang ..	..	..	..	500	500

NOTE.—The scales were revised in 1932.

KHARABA.

(Answer to Question No. 2240, page 216 ante.)

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a)
The amount of *kharaba* claimed during the year 1980-81 under Rule 20¹ of the Canal Act (VIII of 1873) was :—

	Rs.	
Lahore district ..	3,95,109	
Multan district ..	8,97,789	(This excludes the portion of the district irrigated by inundation canals in the Derajat Circle, as <i>kharaba</i> there is not claimed by cultivators but is recommended by the civil patwari at the time of girdawri).
Montgomery district ..	14,74,741	
Lyallpur district ..	14,15,510	

(b) The *kharaba* remissions granted during the same year and under the same rule amounted to :—

	Rs.	
Lahore district ..	95,335	
Multan district ..	2,88,510 + 4,42,355	(remitted in respect of irrigation done by inundation canals of the Derajat Circle).
Montgomery district ..	3,59,170	
Lyallpur district ..	3,03,743	

WATER RATES ON SUGARCANE CROP ON WESTERN JUMNA CANAL.

(Answer to Question No. 2248, page 222 ante.)

The Honourable Captain Sardar Sir Sikander Hyat Khan :

		Rs.
(a) On perennial channels ..	Flow rate ..	12
	Lift rate ..	6
On <i>kharif</i> channels ..	Flow rate ..	10
	Lift rate ..	5

(b) and (c) The honourable member is referred to rule 20 of the rules issued under the Northern India Canal and Drainage Act, VIII of 1873.

(d), (e) and (h) Reference is invited to the answers to parts (a), (b) and (c) of Council question No. *2200.¹

(f) Rs. 1-12-0 per maund.

(g) and (k) Rs. 13-15-6 per acre.

(e) Such information as is available will be found in the tahsil assessment reports, which will be shown to the honourable member if he so desires, in the Financial Commissioners' Library.

(j) No.

EXTRA EXPENDITURE ON SESSIONS AND DISTRICT JUDGE, ROHTAK.

(Answer to Question No. 2253, page 224 ante.)

The Honourable Sir Henry Craik :

* * * * *

(b) The attention of the honourable member is drawn to the reply given to parts (ii) (b) and (f) of starred Council question 2187.¹

MONEY-LENDERS.

(Answer to Question No. 2276, page 288 ante.)

The Honourable Sir Henry Craik : The attached statement gives the information required by the honourable member.

Statement showing particulars of the money-lenders murdered by their debtors in the Punjab between 16th November 1931 and 31st December 1932 and the causes of their murder.

Serial No.	Date of occurrence.	Place of occurrence.	Particulars of the money-lender murdered.	Cause of murder.
1	17/18-11-31..	Bhera town, district Shahpur.	Sarab Dyal, son of Gurmukh Singh, Kapur of Bhera.	Ill-feeling on the part of debtors.
2	30-11-1931 ..	Chak Jaimal Wala, P. S. Sharaqpur, district Sheikhpura.	Ghulam Ali, son of Sher Muhammad, Khaja of Sharaqpur.	Ditto.
3	24-12-1931 ..	Mandora, P. S. Rai, district Rohtak.	Dhaja Ram, son of Jot Ram, Mahajan of village Mandora.	Case <i>sub-judice</i> .
4	27-1-1932 ..	Shaikha Kalan, P. S. Baghapurana, district Ferozepore.	Dala Ram, Arora, originally a resident of Jandanwala, District Mianwali.	Quarrel over the refund of loan.
5	26-2-1932 ..	Todar Majra, P. S. Kharar, district Ambala.	Triloka, father of Bakhtawar Singh, Jat, money-lender.	Attachment of property.
6	27-2-1932 ..	Khara, P. S. Sadr Kasur, district Lahore.	Labh Singh, sehukar	Ditto.

¹Pages ii to iv ante.

Serial [No.]	Date of occurrence.	Place of occurrence.	Particulars of the money-lender murdered.	Cause of murder.
7	5-3-1932 ..	Kuradhi, P. S. Naushera, district Shahpur.	Ram Ditta, son of Tulsi Dass, Arora of Kuradhi.	Not known.
8	15-3-1932 ..	Village Tai, district Attock.	Ram Ditta, son of Devi Ditta Mal, caste Bali, village Tai.	Persistent demand on the part of the deceased for the payment of his debt.
9	19-5-1932 ..	Pachanka, P. S. Hathin, district Gurgaon.	Chhajjan, son of Moji, Mahajan of Hathin.	Filing of a civil suit.
10	30-5-1932 ..	Datoli, P. S. Gannour, district Rohtak.	Maljar, son of Kirori, Mahajan of Datoli.	Case <i>sub-judice</i> .
11	On or about 31-5-1932.	Maggu Soi, P. S. Kathunangal, district Amritsar.	Mool Chand, Arora, Cattle dealer of the Mianwali district.	Filing of a civil suit.
12	1-6-1932 ..	Sanda Chastana, P. S. Gandasingh-wala, district Lahore.	Bhana Mal, Arora of village Sanda Chastana.	Ill-feeling on the part of debtors.
13	11-6-1932 ..	Chak Bahlol, P. S. Qila Didar Singh, district Gujranwala.	Rala Ram, son of Isher Dass, Khatri of Chak Bahlol.	Filing of a civil suit.
14	2-7-1932 ..	Mahmudpura, P. S. Lopoke, district Amritsar.	Uttam Chand, Khatri of Soian, P. S. Lopoke.	Ill-feeling on the part of debtors.
15	8-7-1932 ..	Musewali, P. S. Daaka, district Sialkot.	Wazir Singh, son of Nihal Singh, Arora of Musewali.	Filing of a civil suit.
16	29-7-1932 ..	Village Jalwal, district Attock.	Lakhmi Chand, son of Amir Chand, Khatri of village Nara, district Attock.	Case <i>sub-judice</i> .
17	1/2-8-1932 ..	Chak No. 433-J.B., P. S. Toba Tek Singh, district Lyallpur.	Gehla Ram, son of Patch Chand, Khatri of Chak No. 433-J.B.	Persistent demands for the repayment of a loan.
18	22-10-32 ..	Nathana, district Ferozepore.	Hari Ram, Banias of Nathana.	Case <i>sub-judice</i> .
19	24-11-1932 ..	Chak No. 2-J. B., P. S. Sadr, Lyallpur.	Changa Ram, son of Ram Rakha, Khatri of Chak No. 2-J.B.	Case <i>sub-judice</i> .

TEACHING OF HINDI.

(Answer to Question No. 2277, page 288 ante.)

The Honourable Malik Sir Firoz Khan Noon : (a) A statement showing the required information is laid on the table.

(b) Hindi is being taught wherever the teaching of it is justified by numbers.

Number of schools where no arrangements exist of teaching Hindi in the 5th or 6th Lower Middle Classes.

Name of the Division.	Government Schools.	District Board Schools.	Municipal Board Schools.	N. A. C. School.	REMARKS.
Ambala ..	2	280	3	..	
Jullundur ..	3	512	..	..
Lahore ..	9*	534†	3	..	* In two Government High Schools arrangements exist for the teaching of Hindi in the 6th class, while the subject is not taught in the 5th class. † In three District Board Schools Hindi is taught from the 6th class and not from the 5th.
Multan ..	8	612	4	2	
Rawalpindi ..	17	686	3	..	

RECRUITMENT TO POLICE DEPARTMENT.

(Answer to Question No. 2295, page 336 ante.)

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

Statement.

Name of community.	Proportion of population in the Eastern Range (Part (a) of the question).	NUMBER OF SUB-INSPECTORS AND ASSISTANT SUB-INSPECTORS WHO BELONG TO THE DISTRICTS IN THE EASTERN RANGE (PART (b) OF THE QUESTION).		NUMBER OF SUB-INSPECTORS AND ASSISTANT SUB-INSPECTORS SERVING IN THE EASTERN RANGE (PART (c) OF THE QUESTION).		NUMBER OF SUB-INSPECTORS RECRUITED BY DIRECT APPOINTMENT IN THE PROVINCE DURING THE LAST FIVE YEARS (PART (d) OF THE QUESTION).		NUMBER OF ASSISTANT SUB-INSPECTORS RECRUITED BY DIRECT APPOINTMENT IN THE PROVINCE DURING THE LAST FIVE YEARS (PART (d) OF THE QUESTION).	
		Sub-Inspectors.	Assistant sub-inspectors.	Sub-Inspectors.	Assistant sub-inspectors.	Total No.	Number of statutory agriculturists among these.	Total No.	Number of statutory agriculturists among these.
Hindu	43	55	10	78	20	26	7	42	12
Muslim	27	75	30	125	60	22	20	79	74
Sikh	14	24	8	36	15	11	7	37	29
Total	..	..	..	..	..	59	34	158	115

NAL CHAH RATES IN JHAJJAR AND SONEPAT TAHSILS.

(Answer to Question No. 2300, page 383 ante.)

The Honourable Captain Sardar Sir Sikander Hyat Khan :

Number of wells of which *abiana* has been remitted in Kheora circle of the Sonapat tahsil is 77 and the corresponding amount of *abiana* remitted is Rs. 754.

HOUSING OF VERNACULAR SCHOOLS IN THE PUNJAB.

(Answer to Question No. 2309, page 343 ante.)

The Honourable Malik Sir Firoz Khan Noon : A statement showing the required information is laid on the table.

Name of district.	Number of vernacular schools which are housed in rented buildings or in buildings placed at the disposal of District Board free of rent by public spirited gentlemen.	Name of district.	Number of vernacular schools which are housed in rented buildings or in buildings placed at the disposal of District Board free of rent by public spirited gentlemen.
1. Hissar ..	196	16. Sialkot ..	103
2. Rohtak ..	107	17. Sheikhupura	101
3. Gurgaon ..	171	18. Gujrat ..	136
4. Karnal ..	227	19. Shahpur ..	210
5. Ambala ..	104	20. Jhelum ..	165
6. Simla ..	8	21. Rawalpindi	211
7. Kangra ..	174	22. Attock ..	202
8. Hoshiarpur	178	23. Mianwali ..	186
9. Jullundur..	169	24. Montgomery	182
10. Ludhiana..	127	25. Lyallpur ..	321
11. Ferozepore	215	26. Jhang ..	141
12. Lahore ..	52	27. Multan ..	134
13. Amritsar ..	69	28. Muzaffargarh	147
14. Gurdaspur	127	29. D. G. Khan	182
15. Gujranwala	105	Total ..	4,450

LOWER CHENAB CANAL.

(Answer to Question No. 2312, page 845 ante.)

The Honourable Captain Sardar Sir Sikander Hyat Khan :

(a) and (b) Two statements showing the required information are attached.

	Acres.
(c) Rabi 1931-32	1,461,891
Rabi 1932-33 (Up to end of February 1933) ..	1,271,581

(d) The honourable member's attention is invited to the reply given to Council question No. 2321,¹ part (b).

(Part a.) Statement showing closure programme of each Branch of Lower Chenab Canal commencing from 1st October 1932 up to end of March 1933.

Name of Branch.	October.	November.	December.	January.	February.	March.	REMARKS.
Rakh Branch ..	2	18	10	22	8	12	
Jhang Branch ..	..	18	6	22	8	6	
Upper and Lower Gugera and Burala Branches.	2	10	..	12	18	..	
Mian Ali Branch ..	2	18	10	10	22	13	

(Part b).—Statement showing closures of each Branch of Lower Chenab Canal commencing from 1st October 1931 up to end of March 1932.

Name of Branch.	October.	November.	December.	January.	February.	March.	REMARKS.
<i>Rakh Branch.</i>							
Programme	2	16	18	16	8	9	
Actual .. ..	..	5	12	4	2	4	
<i>Jhang Branch.</i>							
Programme .. ..	..	12	12	16	8	12	
Actual .. ..	..	4	5	12	8	1	
<i>Upper and Lower Gugera and Burala Branches.</i>							
Programme	2	16	6	18	..	..
Actual .. ..	..	12	1	1	..	2	
<i>Mian Ali Branch.</i>							
Programme	2	16	12	4	2	9	
Actual .. ..	..	5	15	5	6	7	

EDUCATION OF GIRLS.

(Answer to Question No. 2360, page 460 ante.)

The Honourable Malik Sir Firoz Khan Noon :

Name of the city.	Year.	Amount spent.
		Rs.
1. Lahore {	1930-31	1,47,872
	1931-32	1,49,840
2. Amritsar {	1930-31	65,147
	1931-32	74,863
3. Ambala Division {	1930-31	1,56,011
	1931-32	1,52,667

ANGLO-VERNACULAR SCHOOLS IN TOBA TEK SINGH.

(Answer to Question No. 2364, page 501 ante.)

The Honourable Malik Sir Firoz Khan Noon : (a) Five recognised schools, four high and one middle.

(b) District Board Anglo-Vernacular Middle School, Chak 310-J. B.

(c) Two hundred and twenty-nine on 31st March, 1933.

(d) Government has no information.

(e) Yes ; but the children of these officials can join the District Board High School, Toba Tek Singh, at a distance of nine miles.

(f) If the proposal is received from the District Board it will be considered on its merits.

(g) Does not arise.

LAND REVENUE ON GARDEN LANDS.

(Answer to Question No. 2378, page 509 ante.)

The Honourable Captain Sardar Sir Sikander Hyat Khan :

(c) Yes.

HONORARY MAGISTRATES.

(Answer to Question No. 2380, page 510 ante.)

The Honourable Sir Henry Craik : (a) 58.

MUNICIPAL VOTES IN KAMALIA.

(Answer to Question No. 2412, page 675 ante.)

The Honourable Dr. Gokul Chand Narang : (a) According to the census of 1981, the population of the Kamalia Municipality communitywise is as follows :—

Muslims	..	..	..	..	5,940
Non-Muslims	..	..	..	..	7,280
Total					13,220

(b) The voting strength of each community is as follows :—

Muslims	..	..	..	..	976
Non-Muslims	..	..	..	..	1,404
Total					2,380

(c) Yes.

(d) The elections are being postponed so that there may be time for the revision of wards and of election rules, in order to meet the grievances mentioned, before the next election.

BREACH ON THE LOWER GUGERA BRANCH AND ZAMINDAR LABOUR.

(Answer to Question No. 2415, page 676 ante.)

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

(b) and (c) Two days were taken to close the breach. The names of the chaks with the total number of labourers employed on each day from every chak is given below :—

Name of Chak.					NUMBER OF LABOURERS ON	
					27th November 1982.	28th November 1982.
372	..	..	..	..	32	32
378	..	..	..	..	32	32
52	..	..	..	..	67	67
523	..	..	..	..	52	52
50	..	..	..	..	59	59
527	..	..	..	..	30	..
529	..	..	..	..	30	30
659	..	..	..	..	37	37
Total					339	309
					648	

(d) Detail of total amount spent for closing the breach :—

Item No.	Description.					Amount.		
						Rs.	A.	P.
1	Supplying second-hand gunny bags at site					218	8	0
2	Ditto ditto					66	0	0
3	Ditto ditto					486	0	0
4	Ditto ditto					72	0	0
5	Supplying new gunny bags at site					540	0	0
6	Ditto cement empty bags (on stock)					39	0	0
7	Ditto baskets					253	0	0
8	Ditto coir rope					41	0	0
9	Ditto lorry on hire paid in Tarkhani sub-division ..					50	0	0
10	Ditto gur					40	0	0
11	Ditto bottles of wine					96	0	0
12	Ditto kerosine oil					9	0	0
13	Ditto large needles for sewing bags					2	0	0
14	Ditto <i>sulli</i> for sewing bags					28	0	0
15	Ditto cotton seeds					0	8	0
16	Ditto chimney					4	0	0
17	Ditto wick .. ..					..
18	Ditto <i>sarson</i> oil					6	0	0
19	Ditto felling axes					5	0	0
20	Hire of gas lamp (two lamps for three nights) and one for five nights more.					22	0	0
21	Coolies during day					2,033	0	0
22	Ditto night					243	8	0
23	Ditto of closing					344	0	0
24	Ditto day					27	2	0
25	Dressers					32	0	0
26	Carpenters					42	0	0
27	Carts					4	0	0
28	Zamindar labour paid on nominal casual labour roll ..					243	0	0
29	Cash prize given to labour by the Executive Engineer, Lower Gagera division.					30	0	0
30	Carriage charges by lorry paid in Buchiana sub-division ..					33	12	0
	Total					5,010	6	0

(e) The names of the zamindars are not available. The information as far as available is as follows :—

Amount.	No. employed.						Days.	Chak No.
Rs. A. P.								
24 0 0	32	..	..	..	..	..	2	372
24 0 0	32	..	..	..	..	..	2	373
50 4 0	67	..	..	..	..	..	2	52
39 0 0	52	..	..	..	..	..	2	528
44 4 0	59	..	..	..	..	..	2	50
11 4 0	30	..	..	..	..	..	1	527
22 8 0	30	..	..	..	..	..	2	529
27 12 0	37	..	..	..	..	..	2	659
243 0 0	Total							

(f) Receipts from each village are not obtained.

(g) Zamindar labour came voluntarily.

(h) and (i) Do not arise.

LOWER GUGERA DIVISION OF THE LOWER CHENAB CANAL.

(Answer to Question No. 2418, page 678 ante.)

The Honourable Captain Sardar Sir Sikander Hyat Khan : The honourable member is referred to the reply given to Council question No 2378 (starred)¹

REVENUE FROM DATE CROP.

(Answer to Question No. 2430, page 730 ante.)

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) and (b) It is regretted that the reply given to Council question No. 2119² was not quite clear. There are no rules for the suspension and remission of revenue on date trees although there are such rules regarding mango trees and gardens of other fruit trees. In view of the special circumstances of the date fruit industry, Government do not find it practicable to pursue the matter further.

¹Pages 509 and xii ante.

²Page xix, Appendix to Vol. XXII.

EDUCATIONAL ADVANCE AMONG DIFFERENT COMMUNITIES.

(Answer to Question No. 2465, page 1038 ante.)

The Honourable Malik Sir Firoz Khan Noon : (a) The honourable member's attention is invited to page 113 of the report on Quinquennium ending 1981-82. It is not understood what the honourable member means by the words "set-back." If he means a decrease in numbers, then there has been a set-back in the case of Hindus as well as Muslims and Sikhs under the following heads :—

Medical College ;
 Training College ;
 Training schools ; and
 Adult schools.

There has also been a set-back in the case of Hindus in Reformatory schools. This I hope is no cause of regret. The Muslims and Sikhs have not been fortunate enough to suffer a set back under this head. The honourable member is not right in assuming that all other communities have gone ahead in education while the Hindus have suffered a set-back. All the communities including the Hindus have shown an advance, except in the cases mentioned above where all have suffered a set-back.

(b) The honourable member is referred to page 113 of the report already referred to in (a) above.

(c) The set-back if any is not restricted to Hindus alone. In the case of the Medical College he cause is restricted admissions, in the case of training institutions and adult schools, the closure of such institutions. The fall of Hindus in unrecognised schools is compensated by a large increase of their numbers in recognized schools.

(d) and (e) Separate figures for Hindu agriculturists are not available I am sorry to say.

EDUCATION OF VERNACULAR TEACHERS.

(Answer to Question No. 2466, page 1038 ante.)

The Honourable Malik Sir Firoz Khan Noon : (a) and (b) The statements giving the requisite information are enclosed.

Statement showing the number of vernacular teachers brought under reduction in 1931 and 1932 by the various district boards in the Punjab.

Name of Division.	Name of District Board.	NUMBER OF VERNAICULAR TEACHERS BROUGHT UNDER REDUCTION.		REMARKS.
		1931.	1932.	
JULLUNDHUR DIVISION	Kangra	83	..	
	Hissar	73	23	
	Rohtak	51	91	
AMBALA DIVISION	Karnal	120	36	
	Ambala .. ..	..	5	
	Simla	5	5	
LAHORE DIVISION	Amritsar	63	20	
	Sheikhupura	15	7	
MULTAN DIVISION	Dera Ghazi Khan	30	6	
	Shahpur .. ..	..	81	
	Jhelum .. ..	..	37	
RAWALPINDI DIVISION	Rawalpindi .. ..	..	66	
	Attock	78	28	
	Mianwali	87	..	

Statement showing the shrinkage in the number of scholars in (i) the primary stage, (ii) the lower middle stage, (iii) upper middle stage in the districts of Rohtak, Hissar, Karnal and Gurgaon.

Name of district.	Stage.	1930.	1931.	1932.	
ROHTAK	Primary .. ..	..	..	3,420	
	Lower Middle	84	..	..
	Upper Middle	409	..	142	
HISSAR	Primary	464	..	1,012	
	Lower Middle .. ..	..	68	155	
	Upper Middle	57	..	57	
KARNAL	Primary	104	5,992	2,284	
	Lower Middle	287	..	519	
	Upper Middle .. ..	..	..	93	
GURGAON	Primary .. ..	..	..	..
	Lower Middle .. ..	..	..	..
	Upper Middle .. ..	..	..	..

WATER SUPPLY TO PUBLIC TANKS IN HISSAR.

(Answer to Question No. 2488, page 1051 ante.)

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Such tanks have been supplied with water from the Canal. Payment for water taken in the tanks is in arrears and some charges are disputed by the Committee.

(b) This appears to be the case.

(c) It is not a tax but a charge for water supplied as prescribed by Government under Section 75 (4) of the Northern India Canal and Drainage Act (Act VIII of 1873).

(d) This charge is made on all the Canals of the province.

(e) Not stopped. Withheld temporarily till arrears were paid.

(f) Does not arise.

(g) No. The Canal runs through the town and cattle are watered from the Canal.

(h) No.

(i) Water will be supplied on compliance with the usual terms.

RECRUITMENT OF CONSTABLES.

(Answer to Question No. 2489, page 1052 ante.)

The Honourable Sir Henry Craik : (a) In 1931, 1932 and in the current year the procedure adopted by the Superintendents of Police, Hissar, Rohtak, Karnal and Gurgaon for recruiting was the ordinary normal procedure common to the province. When vacancies were to be filled, the Superintendents of Police selected the most suitable men from the candidates who presented themselves for enlistment. In 1933 the Deputy Inspector-General of Police, Eastern Range, arranged to secure suitable Hindu recruits for all districts in his range by arranging for special recruitment from among Hindu Jats, Rajputs and Gaur Brahmans in the Rohtak and Hissar districts.

(b) 1931.		Hindus.	Muslims.	Sikhs.
Hissar ..	..	23	26	13
Rohtak ..	..	10	11	1
Karnal ..	..	2	14	1
Gurgaon ..	..	14	12	1
1932.				
Hissar ..	..	4	22	4
Rohtak ..	..	3	14	..
Karnal ..	..	14	16	2
Gurgaon ..	..	9	6	..
1933.				
Hissar ..	..	22	13	3
Rohtak ..	..	17	4	3
Karnal ..	..	11	2	6
Gurgaon ..	..	2	9	1

(c)

	<i>Hindus.</i>	<i>Muslims.</i>	<i>Sikhs.</i>
Hissar ..	588,420	253,784	55,169
Rohtak ..	655,963	137,880	596
Karnal ..	565,236	259,730	16,928
Gurgaon ..	493,174	242,357	500

REMISSION OF LAND REVENUE AND WATER RATES.

(Answer to Question No. 2491, page 1053 ante.)

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

Statement showing the remission of land revenue and abiana in Kharif 1932 and Rabi 1933.

DIVISION.	District.	Kharif, 1932.			Rabi, 1933.		
		Remissions of land revenue.			Amount of land revenue remitted or proposed to be remitted.		
		Out of current demand.	Out of suspended revenue.	Remissions of abiana.	Out of current demand.	Out of suspended revenue.	Amount of abiana remitted.
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
AMBALA.	Hissar ..	..	..	12,871	..	2,00,860	18,571
	Rohtak ..	717	2,85,070	10,983	1,364	2,62,034	4,032
	Gurgaon ..	..	..	19,960	2,541	6,96,103	..
	Karnal ..	..	42,646	12,877	1,629	8,129	12,990
	Ambala ..	..	..	4,234	1,297	17,140	3,648
	Simla ..	..	..	..	12	..	..
	Total ..	717	3,27,716	60,925	6,543	11,84,066	39,241
JULLANDHUR.	Kangra ..	..	..	..	34	..	..
	Hoshiarpur ..	..	17,126	..	6,539	..	..
	Jullundur ..	..	..	..	2,363	..	..
	Ludhiana ..	..	..	..	..	..	..
	Ferozepore ..	..	500	41,622	3,051	737	56,947
	Total ..	..	17,626	41,622	11,967	737	56,947

DIVISION.	District.	KHARIF, 1932.			RABI, 1933.		
		Remissions of land revenue.			Amount of land revenue remitted or proposed to be remitted.		
		Out of current demand.	Out of suspended revenue.	Remissions of <i>abiana</i> .	Out of current demand.	Out of suspended revenue.	Amount of <i>abiana</i> remitted.
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
LAHORE.	Lahore ..	1,276	..	87,437	363	2,907	53,173
	Amritsar ..	..	107	26,186	8,101	..	9,624
	Gurdaspur ..	..	3,846	3,918	1,731	1,771	612
	Sialkot ..	..	19,197	1,755	..	22,782	113
	Gujranwala ..	..	..	..	..	..	..
	Sheikhupura ..	..	781	..	54,967	2,276	..
	Total ..	1,276	23,931	1,19,296	65,162	29,736	63,522
RAWALPINDI.	Gujrat ..	..	..	..	116	..	..
	Shahpur ..	..	7,917	68,437	2,02,433	17,506	50,433
	Jhelum ..	..	12,693	..	226	1,981	..
	Rawalpindi ..	..	..	..	..	..	..
	Attock ..	..	..	..	..	434	..
	Mianwali ..	..	..	..	..	..	..
	Total ..	..	20,610	68,437	2,02,775	19,921	50,433
MULTAN.	Montgomery ..	1,09,761	..	1,59,561	39,850	..	70,252
	Lyalpur ..	..	..	1,44,006	8,99,500	..	3,45,561
	Jhang ..	..	..	16,617	5,180	..	70,289
	Multan ..	..	..	..	1,87,234	..	..
	Muzaffargarh ..	1,094	..	..	18	..	..
	Dera Ghazi Khan.	..	9,729	..	202	4,521	..
	Total ..	1,10,855	9,729	3,20,184	11,21,984	4,521	4,86,102
GRAND TOTAL		1,12,848	3,09,612	6,10,464	14,08,751	12,38,981	6,06,245

CHAUDHRI AHMAD HASAN, DISTRICT INSPECTOR OF SCHOOLS, MONTGOMERY.

(Answer to Question No. 2501, page 1061 ante.)

The Honourable Sir Malik Firoz Khan Noon: (a) For the last three years.

(b) A statement is laid on the table.

etailed statement showing the number of appointments made from 16th August, 1930, to 31st July, 1938.
Montgomery District.

	1930-31 from 16-8-1930.				1931-32.				1932-33.				1933-34 UP TO 31-7-1933.				REMARKS.
	Trained.	Untrained.	Total.	Trained.	Untrained.	Total.	Trained.	Untrained.	Total.	Trained.	Untrained.	Total.	Trained.	Untrained.	Total.	Untrained.	
Montgomery District.	..	64	64	152		257	108	185	291	31	109	140					All untrained teachers are employed only up to the end of the school year concerned and new appointments are made each year from the beginning of April according to the number of vacancies to be filled by such untrained men.
Outsiders ..	5	33	38	14	22	36	12	39	51	4	17	21					
Total	5	97	102	166	127	293	118	224	342	35	126	161					

SUBORDINATE EDUCATIONAL SERVICE AND STATUTORY AGRICULTURISTS

(Answer to Question No. 2512, page 1069 ante).

The Honourable Malik Sir Feroz Khan Noon :

(a) <i>Number of Hindus who passed out of the Central Training College, Lahore, during the last five years.</i>	<i>Number of statutory agriculturists among them.</i>
248	30
(b) <i>Number of Hindus recruited in the Subordinate Educational Service, Anglo-Vernacular Section, during the last five years.</i>	<i>Number, tribe and district of the statutory agriculturists among them.</i>
60, seven of these were taken into Government service, on the provincialization of board schools.	8 as detailed below—
	2 Hindu Jats of Rohtak district.
	1 Gaur Brahman of Rohtak district.
	1 Hindu Rajput of Jullundur district.
	1 Mohyal Brahman of Jhelum district.
	1 Brahman of Kangra district.
	1 Hindu Rajput of Hoshiarpur district.
	1 Brahman of Rawalpindi.

ADMISSION TO THE CENTRAL TRAINING COLLEGE.

(Answer to Question No. 2513, page 1069 ante.)

The Honourable Malik Sir Feroz Khan Noon : (a) 335.

(b) <i>Hindus.</i>	<i>Muslims.</i>	<i>Sikhs.</i>	<i>Christians.</i>	<i>Total.</i>
162	107	60	6	335

(c) The number of candidates communitywise selected for admission is as given below :—

	<i>Hindus.</i>	<i>Muslims.</i>	<i>Sikhs.</i>	<i>Christians.</i>
	56	55	27	5
Agriculturists	9	33	19	2

(d) Yes.

- (e) 1. Rati Ram Prashar, Hindu Brahman, Village Nahri, Sonapat, district Rohtak.
2. Kanwar Dilbagh Rai, Hindu-Rathor Rajput, village Sotal, Rupar, district Ambala.
3. Har Narain Sharma, Hindu Gaur Brahman, Beri, Jhajjar, Rohtak.
4. Jai Bhagwan Sharma, Hindu Gaur Brahman, Jaithana, district Karnal.

(f) The selection is made by the Principal assisted by other lecturers.

(g) The preliminary sifting is done by the lecturers.

(h) Yes.

(i) Yes, the particulars are enclosed.

1. Chaman Lal Jain, Jain Aggarwal, Rohtak (only one Jain admitted).
2. Mehr Chand, Sarpal, Khatri-Sarpal, Amritsar.
3. Rati Ram Prashar, J. V., S. V., Gaur Brahman, Rohtak.
4. Dharam Chand, Dhingra, J.A.-V., Arora Hindu, Muzaffargarh.
5. Ram Nath, Hindu-Kshatriya, Jhang.
6. Devi Dyal, Hindu Brahman, Hoshiarpur.
7. Durga Dass, J.V. and J.A.-V., Hindu Brahman, Gurdaspur.
8. Abdul Razaq Malik, Muslim, Jat Mangla, Multan.
9. Abdul Majid Khan, Muslim, Pathan, Gurdaspur.
10. Aziz Ahmad, Muslim, Qureshi, Sialkot.
11. Bashir Ahmad, Muslim Awan, Jullundur.
12. Muhammad Alamgir, Muslim, Sheikh, Amritsar.
13. Muhammad Ayub Khan, Muslim, Rajput, Sheikhpura.
14. Nazir Ahmad Shah, Muslim, Sayid, Gujrat.
15. Mir Masood Ahmad, Muslim, Kashmiri, Lahore.
16. Wali Muhammad, B.Sc., Muslim, Arain, Jullundur.
17. Ali Muhammad, Muslim, Jat, Hoshiarpur.
18. Muhammad Rashid, Muslim, Rain, Jullundur.
19. Abdul Ghani, Muslim, Awan, Shahpur.
20. Muhammad Yusuf, Muslim, Gujjar, Lyallpur.
21. Nur Muhammad, Muslim, Awan, Attock.
22. Malik Altaful Rahman, Muslim Khokhar, Multan.
23. Gul Muhammad, Chishti, Muslim, Sheikh, Multan.
24. Muhammad Akram, Muslim, Rajput, Jhang.
25. Ghulam Ali, Muslim, Ar-Rai, Lyallpur.
26. Ghulam Ahmad, Muslim, Rajput, Gurdaspur.
27. Sadiq Hasan, Muslim, Kashmiri, Amritsar.
28. Kartar Singh, B. Sc., Sikh Jat, Agriculturist, Hoshiarpur.
29. Mahtab Singh, Sikh, Sialkot.

30. Autar Singh, Sikh, Jat, Ludhiana.
31. Karam Singh, Sikh, Hoshiarpur.
32. Kartar Singh, Sikh Jat, Agriculturist, Hoshiarpur.
33. Daljit Singh, Jat, Sikh, Jullundur.
34. Bahal Singh, Sandhoo, Sikh, Jat, Lyallpur.
35. Lal Singh, Sikh, Jat, Lyallpur.
36. Sham Singh, Sikh, Lyallpur.
37. Dasondha Singh, J.A.-V., Kamboj, Sikh, Lahore.
38. Swaran Singh, Jat, Sikh, Hoshiarpur.
39. Sher Singh, Sikh, Jat, Ludhiana.
40. Emmanuel Mall, Christian (district not given).
41. Jacob Jagan Nath, Christian, Sheikhpura.
42. Samsun Mansab, Christian, Montgomery.

WATER SUPPLY IN ROHTAK AND HISSAR DISTRICTS.

(Answer to Question No. 2518, page 1072 ante.)

The Honourable Malik Sir Firoz Khan Noon : Yes. The steps taken to improve the water-supply in the affected areas in the two districts and the amounts spent in each case during the last five years are as under—

(1) Rohtak district—

	Rs.
(a) Trial boring in 8 wells in Jhajjar tahsil ..	4,785
(b) Trial boring at Sohlewas	750
(c) Rohtak water-supply	5,40,812

(2) Hissar district—

(a) Sinking a tube-well at mile 74 of Delhi-Multan Road.	1,462
(b) Trial boring at Jamalpur	2,291
(c) Bhiwani water-supply	4,68,484

COLLECTION OF LAND REVENUE IN SONEPAT AND GOHANA TAHSILS.

(Answer to Question No. 2520, page 1072 ante.)

The Honourable Captain Sardar Sir Sikander Hyat Khan :

(a) Gohana tahsil	41.
Sonepat tahsil	14.
(b)	Yes.
(c) Gohana tahsil	Yes.
Sonepat tahsil	No. The damage was quite insignificant.
(d) Gohana tahsil	Deputy Commissioner, Revenue Assistant, tahsildar and naib-tahsildar, Gohana.
Sonepat tahsil	Tahsildar and naib-tahsildar, Sonepat.

REFUNDS OF CHAHI DUES.

(Answer to Question No. 2521, page 1072 ante.)

The Honourable Captain Sardar Sir Sikander Hyat Khan :

* * * * *

Number of wells of which *abiana* has been remitted in Kheora circle of the Sonapat tahsil is 77 and the corresponding amount of *abiana* remitted is Rs. 754.

RECRUITMENT OF CONSTABLES.

(Answer to Question No. 2529, page 1112 ante.)

The Honourable Sir Henry Craik : (a) 268.

(b) One Jat, two Gaur Brahmans and five Rajputs.

(c) As regards the population of Jats and Rajputs in the Rohtak district, the honourable member is referred to table XVII in Part II of the Census of India, 1931, Volume XVII. No separate figures are available regarding Gaur Brahmans.

REDUCTION OF VERNACULAR TEACHERS.

(Answer to Question No. 2585, page 1115 ante.)

The Honourable Malik Sir Firoz Khan Noon: A statement is enclosed—

(a)—

Name of district.	1931.			1932.		
	EXTENT OF CONTRACTION IN					
	Upper Middle Department.	Lower Middle Department.	¹ Primary Department.	Upper Middle Department.	Lower Middle Department.	¹ Primary Department.
Hissar	68	..	57	155	1,012
Rohtak	17	34,	..	3,722
Gurgaon	190
Karnal	36	189	9,038	103	528	2,193
Ambala	6,727
Simla

¹ There are no Lower and Upper Primary Departments in Boys' Schools.

(b)—

Year.	Number of vernacular teachers discharged in the Rohtak District.	REMARKS.
1931	96	
1932	46	

(c) (i)—

Year.	NUMBER OF JATS, GAUR BRAHMANS, MAHAJANS AND MUSLIMS AMONG THE TEACHERS DISCHARGED IN THE ROHTAK DISTRICT.			
	Jats.	Gaur Brahmans.	Mahajans.	Muslims.
1931	27	41	8	12
1932	17	13	3	4

(ii)—

	PERCENTAGE OF TEACHERS OF THESE CASTES TO THE TOTAL NUMBER OF VERNACULAR TEACHERS IN THE DISTRICT.			
	Jats.	Gaur Brahmans.	Mahajans.	Muslims.
	19.9	47.2	12.5	11.7

(iii)—

	PROPORTION OF POPULATION OF THESE CASTES IN THE DISTRICT.			
	Jats.	Gaur Brahmans.	Mahajans.	Muslims.
	32.5	*	*	17.1

*Figures regarding the population of these castes in the district are not available. The information, therefore, cannot be supplied.

SIMLA LABOUR INQUIRY COMMITTEE REPORT.

(Answer to Question No. 2543, page 1120 ante.)

The Honourable Dr. Gokul Chand Narang : A copy of the report is laid on the table.¹

A. N. SAYAL, ASSISTANT HOSIERY MASTER.

(Answer to Question No. 2547, page 1124 ante.)

The Honourable Dr. Gokul Chand Narang : (a) It is understood that 4 suits were instituted against Mr. Sayal during the three years in question.

(b) Decrees were passed in 3 of the cases. The fourth one was compromised.

(c) No.

(d) Does not arise. It may be added that the total amount decreed against Mr. Sayal does not exceed Rs. 400 a part of which has already been paid off.

WHOLESALE PRICES IN THE PUNJAB.

(Answer to Question No. 2551, page 1132 ante.)

The Honourable Captain Sardar Sir Sikander Hyat Khan : A statement showing the index number of wholesale prices at Lahore for the fortnight ending 31st March 1933 is enclosed. No other information is available.

Current wholesale prices of 24 articles of general consumption or trade utility at Lahore, together with the average price of these commodities during the year 1910-14 (inclusive) and a percentage comparison of present and pre-war prices. An unweighted index number showing the average percentage ratio of current to pre-war prices is also given.

Serial No.	Articles.	Pre-war price (1910-14) per maund.	PRESENT PRICE.		Change since previous fortnight Rise + Fall - No change 0.	Percentage ratio of present price to pre-war price.
			Fortnight ending 31st March 1933.	Previous fortnight.		
		Rs. A. P.	Rs. A. P.	Rs. A. P.		
1	Rice (husked) ..	5 1 2	3 13 0	4 0 0	—	75
2	Wheat ..	3 6 3	3 5 3	3 8 6	—	93
3	Barley ..	2 4 6	1 13 6	2 0 0	—	81
4	Jowar ..	2 10 0	1 13 6	2 3 6	—	70
5	Bajra ..	3 0 3	2 13 9	2 13 9	0	95
6	Maize ..	2 10 3	3 1 3	3 1 3	0	117
7	Gram ..	2 8 0	2 1 6	2 1 6	0	83
8	Arhar Dal ..	4 0 3	3 10 6	3 13 0	—	91
9	Linseed ..	6 9 3	4 0 0	4 0 0	0	61

¹Kept in the Library.

Serial No.	Articles.	Pre-war price (1910-14) per maund.	PRESENT PRICE.		Change since previous fortnight Rise + Fall— No. change 0.	Percentage ratio of present price to pre-war price.
			Fortnight ending 31st March 1933.	Previous fortnight.		
		Rs. A. P.	Rs. A. P.	Rs. A. P.		
10	Rapeseed ..	5 3 6	4 1 9	4 10 3	—	79
11	Poppyseed ..	9 10 9	(a)	(a)	..	..
12	Til ..	7 14 3	5 4 9	5 11 6	—	67
13	Sugar (raw) ..	5 4 0	2 13 9	3 1 3	—	54
14	Cotton (cleaned) ..	23 7 6	12 5 0	12 5 0	0	52
15	Ghee ..	46 8 0	42 10 9	45 11 6	—	92
16	Flour wheat ..	3 14 0	3 10 6	3 13 0	—	94
17	Tobacco ..	8 0 6	6 11 6	6 11 6	0	84
18	Turmeric ..	11 14 9	13 5 3	13 5 3	0.	112
19	Salt ..	1 7 9	2 6 9	2 6 9	0	163
20	Hides (cow) ..	40 1 0	(a)	17 8 0	..	..
21	Bran ..	2 6 3	1 11 9	1 10 6	+	73
22	Bhoosa ..	0 14 9	0 14 0	1 1 0	—	95
23	Coal ..	0 14 3	(a)	(a)	..	..
24	Kerosine oil (per tin).	2 8 6	4 0 0	4 0 0	0	168

(a) Not available.

Average percentage ratio of current to pre-war prices or unweighted index number = 90.

LAW COLLEGE, LAHORE.

(Answer to Question No. 2567, page 1146 ante.)

The Honourable Malik Sir Firoz Khan, Noon : (a) and (b) The required information is as follows :—

Year.				NUMBER OF STUDENTS ON ROLL ON 31ST MARCH.			Number of students passing the LL.B. examination.
				F. E. L. Class.	LL. B. Class.	Total.	
1920	..	..	..	206	198	404	265
1921	..	..	..	322	181	503	127
1922	..	..	..	235	230	465	199
1923	..	..	..	285	210	495	256
1924	..	..	..	378	220	598	186
1925	..	..	..	311	278	589	320
1926	..	..	..	325	187	512	162
1927	..	..	..	246	299	545	176
1928	..	..	..	263	240	503	197
1929	..	..	..	299	212	511	182
1930	..	..	..	282	275	557	208
1931	..	..	..	264	174	438	175
1932	..	..	..	417	203	620	146
1933	..	..	..	494	303	799	289

N.B.—The number of students passing the LL.B. examination, entered against the year 1920 denotes the number passing the session 1919-20, and so on.

MR. A. N. SAYAL, ASSISTANT HOSIERY MASTER OF GOVERNMENT
HOSIERY INSTITUTE.

(Answer to Question No. 2569, page 1147 ante.)

The Honourable Dr. Gokul Chand Narang : It is not necessary to answer this question as the employee concerned is under notice of discharge for reasons unconnected with the incident referred to.

KHARABA ON SHAHKOT DISTRIBUTARY OF MIANWALI BRANCH,
LOWER CHENAB CANAL.

(Answer to Question No. 2585, page 1158 ante.)

The Honourable Captain Sardar Sir Sikander Hyat Khan :

(a) Percentage of *kharaba* on Nasrana Distributary is—

<i>Kharif</i> , 1932	..	..	..	5%
<i>Rabi</i> , 1932-33	..	..	..	12.5%

Percentage of *kharaba* on Shahkot Distributary is—

<i>Kharif</i> , 1932	..	..	2.6%
<i>Rabi</i> , 1932-33	..	..	3.87%

Heavy *kharaba* in *Rabi* 1932-33 on Nasrana Distributary is partly due to hailstorms.

(b) Supply of water on the whole has not been less.

KASNI IN THE UPPER GUGERA DIVISION.

(Answer to Question No. 2586, page 1158 ante.)

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) Kasni mixed with fodder crops is only charged as a higher rate crop if the value of the lower rated crop has been appreciably increased.

(b) No change in practice has occurred.

(c) No.

(d) Does not arise.

(e) The information is not available. The *abiana* crop rate for Kasni is Rs. 6-4-0 per matured acre.

CANAL AND DRAINAGE ACT AND DATES FOR CROPS TO BE RESOWN.

(Answer to Question No. 2588, page 1159 ante.)

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) When a crop fails and the land is reploughed and sown with a second crop in the same season *abiana* is charged on the crop that comes to maturity. For purposes of this rule the year is divided into four seasons, viz., *rabi*, *zaid rabi*, *kharif*, *zaid kharif*.

(b) No.

(c) Does not arise.

(d) The instances quoted are for crops in different seasons. Cotton is *kharif*, *toria*, *zaid kharif*, wheat *rabi*. Hence these instances do not come under Rule 25.

(e) Question is not understood as *toria* is not sown in November.

ASSESSMENT OF *kharaba* IN THE DERAJAT CANAL CIRCLE.

(Answer to Question No. 2589, page 1160 ante.)

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) and (d) A copy of the *kharaba* rules for the Muzaffargarh district is laid on the table. With regard to the rules obtaining in the Multan and Dera Ghazi Khan districts the honourable member is referred to paragraphs 27—33 and 6-7 of the *Dastur-ul-amal* of the respective districts.

(b) No.

(c) *Kharaba* which is entered by the patwari in the first instance is subsequently checked by the field kanungo and revenue officers who according to the condition of the crop determine its amount.

(e) Fifty per cent. in the case of the Muzaffargarh inundation canals. In the case of the Multan inundation canals the revenue officers are required to check not less than 83 per cent. of the *kharaba* entries. In the Dera Ghazi Khan district the field kanungo is required to at least 50 per cent. and the revenue officers 25 per cent. of the *kharaba* entries.

(f) No percentage is prescribed for the Revenue Assistant and the Deputy Commissioner.

Kharaba rules in the Muzaffargarh district in force in 1932.

Muzaffargarh, Kot Adu and Leiah tahsils.	Yield more than Re. 0-12-0, no deduction. Yield more than Re. 0-10-0 but not more than Re. 0-12-0, $\frac{1}{4}$. Yield more than Re. 0-8-0 but not more than Re. 0-10-0, $\frac{1}{3}$. Yield more than Re. 0-6-0 but not more than Re. 0-8-0, $\frac{1}{2}$. Yield more than Re. 0-4-0 but not more than Re. 0-6-0, $\frac{2}{3}$. Yield more than Re. 0-2-0 but not more than Re. 0-4-0, $\frac{3}{4}$. Not more than Re. 0-2-0, whole.
Alipur tahsil	(a) When the outturn of a field is equivalent to Re. 0-12-0 crop or better, full rates will be charged on the whole area sown. (b) When the outturn of a field is equivalent to or better than Re. 0-8-0 crop and less than Re. 0-12-0, $\frac{1}{4}$ rates will be charged. (c) When outturn is estimated to be equal to or better than Re. 0-4-0 crop and less than Re. 0-8-0, $\frac{1}{2}$ rates will be charged. (d) When the outturn is estimated to be less than Re. 0-4-0, entire remission will be given.

The patwari is required to go round the fields and prepare a list of *kharaba* numbers and lay it before the field kanungo, who is required to check the list on the spot and grant *kharaba* where necessary.

OCCUPIERS' RATES IN THE LOWER JHELM CANAL.

(Answer to Question No. 2598, page 1202 ante.)

The Honourable Captain Sardar Sir Sikander Hyat Khan: (i)

(a) and (b) Yes.

(c) No. The area which lies within the Jhang civil district is necessarily located in the tail reaches of the Lower Jhelum Canal but the situation as regards water supply is no less favourable than that of the area which lies within the Shahpur civil district.

(d) (i) The area in the Jhang and in the Shahpur districts and which are served by the Lower Jhelum Canal both contain good and poor soil; it is not correct to describe the soil in the Jhang district as very inferior as compared with that of the Shahpur district.

(ii) Both the Jhang and Shahpur districts contain "old" and "new" villages.

(e) (i) Yes.

(ii) No. Schedule "B" applies to only a portion of the Shahpur district.

(iv) In view of the above facts, Government does not consider that there is any justification for a wholesale revision of the occupiers' rates in this area.

PROCESS-SERVERS AND BAILIFFS IN HISSAR AND GURGAON DISTRICTS.

(Answer to Question No. 2598, page 1204 ante.)

The Honourable Sir Henry Craik:

	(a) PROCESS-SERVERS.		BAILIFFS.	
	Hindus.	Muslims.	Hindus.	Muslims.
Hissar district	.. 26	37	5	7
Gurgaon district	.. 24	25	1	5
* * *	* * *	* * *	* * *	* * *

ALIENATION OF LAND IN MANDI BAHU-UD-DIN.

(Answer to Question No. 2604, page 1211 ante.)

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

(b) Permission was granted by the Deputy Commissioner under his statutory power of discretion exercised in accordance with the instructions of the Financial Commissioner contained in paragraph 37 of the Land Administration Manual.

(c) The entries in the revenue records show that a portion of the land is under a garden and the rest has been built upon.

(d) It is not quite clear whether information is desired in respect of Mandi Baha-ud-Din only or the whole of the district.

(e) Does not arise.

ALIENATION OF LAND IN MALAKWAL.

(Answer to Question No. 2605, page 1211 ante.)

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a)
Yes, for one kanal.

(b) Permission was granted by the Deputy Commissioner under his statutory power of discretion exercised in accordance with the instructions of the Financial Commissioner contained in paragraph 37 of the Land Administration Manual.

(c) No.

(d) Does not arise.

TAWANS.

(Answer to Question No. 2621, page 1219 ante.)

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a)
The information required is given in the statement below :—

Nature of tawans.	AMOUNT OF TAWAN LEVIED DURING THE THE YEAR 1932-33 (Kharif 1932 AND Rabi 1932-33).	
	Lower Gugera Division.	Lyallpur Division.
	Rs. A. P.	Rs. A. P.
Abzaia	277 5 0	30 12 0
Warashikie	Nil.	Nil.
Unauthorised Nakka or watercourse ..	156 15 0	1,526 12 0
All other unauthorised irrigation ..	2,418 14 0	10,623 13 0

(b) Tawans are, as a rule, levied on complaint from an injured party but under exceptional circumstances these may have to be levied even when no shareholder has objected.

(c) The number is fluctuating.

TAWANS.

(Answer to Question No. 2622, page 1220 ante.)

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a)
Already replied.

(b) Nakkas on various branches were fixed many years ago generally when irrigation first started.

(c) Yes.

(d) Yes, but only in cases when the owner persistently irrigates from the unauthorized nakkas in spite of warnings not to do so.

(e), (f) and (g) Already replied.

ANSWERS TO UNSTARRED QUESTIONS.

DISABILITIES OF DEPRESSED CLASSES.

(Answer to Question No. 554, page 26 ante.)

The Honourable Dr. Gokul Chand Narang : (a) No. For information on the question the honourable member is referred to reply to starred Council question No. 2688 of 1980.¹

(b) The honourable member is referred to the reply to Council question No. 991 of 1929.²

(c) No.

(d) Government trust that the disabilities of depressed classes will rapidly disappear under pressure of enlightened public opinion.

CASES UNDER INSOLVENCY ACT IN THE SHEIKHUPURA DISTRICT.

(Answer to Question No. 584, page 168 ante.)

The Honourable Sir Henry Craik :

(a) Senior Subordinate Judge, Sheikhupura 190
District Judge, Sheikhupura at Lyallpur 22

(b) No. (d) 24.

(c) 646. (e) 10.

(f) Government has no information.

REMISSION ON KHARIF CROP.

(Answer to Question No. 594, page 165 ante.)

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a), (b) and (c) No general remission was given in respect of the *kharij* harvest or the cotton crop ; but Rs. 12,35,591 were suspended in the areas under fixed assessment and 489,963 acres (including 124,106 acres of the area under cotton) were returned as *khara* and exempted from assessment in the areas under fluctuating assessment as given in detail in the enclosed statement.

Division.	District.	Total area returned as failed in assessing the fluctuating demand for <i>Kharij</i> 1932.	Area of cotton failed in <i>Kharij</i> 1932.	Fixed land revenue suspended in <i>Kharij</i> 1932.
		Rs.	Rs.	Rs.
AMBALA ..	Hissar	12,246	10	5,32,200
	Rohtak .. .. .	..	..	73,063
	Gurgaon	741	..	4,19,561
	Karnal .. .. .	..	..	43,239
	Ambala .. .. .	..	..	9,066
	Simla .. .. .	..	..	..
	Total	12,987	10	10,77,188

DIVISION.	District.				Total area returned as failed in assessing the fluctuating demand for <i>Kharif</i> 1932.	Area of cotton failed in <i>Kharif</i> 1932.	Fixed land revenue suspended in <i>Kharif</i> 1932.
					Ra.	Ra.	Ra.
JULLUNDUR	Kangra	..	..	..	..	..	..
	Hoshiarpur	..	..	..	528	26	..
	Jullundur	..	..	..	..	..	..
	Ludhiana	..	..	..	..	..	..
	Ferozepore	..	..	..	13,486	265	2,450
	Total	..	..	..	14,014	291	2,450
LAHORE ..	Lahore	..	..	..	458	280	5,089
	Amritsar	..	..	..	..	..	4,719
	Gurdaspur	..	..	..	223	43	20,294
	Sialkot	..	..	..	383	20	32,914
	Gujranwala	..	..	..	16,248	2,360	..
	Sheikhupura	..	..	..	23,639	6,664	5,666
	Total	..	..	..	40,956	9,367	68,682
RAWALPINDI	Gujrat	..	..	..	14,537	3,381	..
	Shahpur	..	..	..	20,940	17,360	15,892
	Jhelum	..	..	..	..	..	20,810
	Rawalpindi	..	..	..	..	..	5,944
	Attock	..	..	..	14,163	1,061	15,608
	Mianwali	..	..	..	57,317	196	..
	Total	..	..	..	1,06,957	21,998	58,254
MULTAN ..	Montgomery	..	..	..	38,839	21,570	..
	Lyallpur	..	..	..	21,276	13,839	..
	Jhang	..	..	..	13,955	852	..
	Multan	..	..	..	1,15,523	31,133	..
	Muzaffargarh	..	..	..	38,343	13,709	12,012
	Dera Ghazi Khan	..	..	..	87,113	11,337	17,005
	Total	..	..	..	3,15,049	92,440	29,017
	GRAND TOTAL	..	..	..	4,89,963	1,24,106	12,35,591

AUCTION OF DATE TREES BY CIVIL COURTS.

(Answer to Question No. 598, page 167 ante.)

The Honourable Sir Henry Craik : (a) to (e) The collection of the complete information required by the honourable member would involve considerable labour and expense and would necessitate the appointment of a special *muharrir*. I regret that I cannot undertake to collect it.

STATUTORY AGRICULTURISTS AND CIVIL CASES IN JHANG DISTRICT.

(Answer to Question No. 599, page 168 ante.)

The Honourable Sir Henry Craik : (i) (a), (b) and (c) The attached statement gives the information required by the honourable member.

(i) (d), (f) The collection of the complete information required by the honourable member would involve considerable labour and expense and would necessitate the appointment of a special *muharrir*. I regret that I cannot undertake to collect it.

(ii) It is presumably because the respondent has either not applied for cancellation or been unable to satisfy the court that there are sufficient reasons for cancelling the orders.

(iii) I would call the honourable member's attention to the report of the Committee on rural indebtedness which is now under the consideration of Government.

Statement showing the information required by part i (a), (b) and (c) of question No. 599.

Year.	Number of Civil cases instituted.	Ex-parte DECISIONS.		
		Number of cases in which judgment was passed ex-parte against a defendant.	Applications to set aside ex-parte decrees.	
			Admitted.	Refused.
1930	7,562	3,182	44	186
1931	8,195	3,427	46	99
1932	6,997	3,155	120	99

SCHOOL BUILDINGS DESTROYED BY FLOODS IN JHANG DISTRICT.

(Answer to Question No. 604, page 235 ante.)

The Honourable Malik Sir Firoz Khan Noon : (a) 86.

(b) None.

(c) 86.

(d) Government is not in a position at present to sanction a special grant for the purpose, but will consider the claims of this district board for special assistance when funds are available. It may, however, be added that even at present the district board can earn an annual grant according to its grade not exceeding Rs. 5,000, on account of its expenditure on the upkeep of vernacular school buildings.

EFFECT OF ENHANCED SCHOOL FEE ON PROGRESS OF EDUCATION.

(Answer to Question No. 620, page 407 ante.)

The Honourable Malik Sir Firoz Khan Noon : No. In fact there has been an increase of two in the enrolment of the 7th class during the year 1932-33 against a fall of nine during 1931-32. The enrolment in the 5th class has fallen by 79 during 1932-33 but whether this fall is due to enhanced rates of tuition fees or to other causes such as general economic depression or unemployment it is difficult to determine. It may be added for the honourable member's information that there has been a decrease of 49 scholars in the enrolment of the 5th class in vernacular schools also of which the rates of fees are the same as before.

STUDENTS IN GOVERNMENT COLLEGE AND THEIR AMUSEMENTS.

(Answer to Question No. 627, page 411 ante.)

The Honourable Malik Sir Firoz Khan Noon : (a) The average monthly expenses in 2nd and 3rd years of a student in Government College, Lahore, living in the Hostel are Rs. 60 and Rs. 70, respectively.

(b) There is no additional expense for tennis except the cost of equipment. As for cinemas, etc., it depends on the individual concerned. The resident students are not allowed to go to the second house more than twice a term.

(c) No.

(d) It does happen sometimes, but on the whole results are excellent as is apparent from the statement laid on the table, showing the results of the College in the University examinations for the last five years. This year six students were placed in the first division in the M.A. and M.Sc. examination and the following medals and scholarships have been won by the College :—

Rai Sahib M. Gulab Singh Denzil Ibbetson	
Diamond Jubilee Purse of Rs. 100	.. Vidya Sagar Nanda.
Arnold Gold Medal	.. Sardari Lal.
Inayat Ali Watson Silver Medal	.. Sardari Lal.
Khan Bahadur Shaikh Nanak Bakhsh Silver Medal	.. Abdul Qadir.

Scholarships.

The Punjab Government	..	..	..	81
The Punjab University	..	..	..	68
The Government of the United Provinces	..	..	..	1
European Scholarship	....	..	..	1
The Government of Baluchistan	..	..	..	2
District Board, Muzaffargarh	..	..	..	1
District Board, Dera Ghazi Khan	..	..	..	1
King George Coronation Scholarship	..	..	..	1
Trustees of the Estate of Dawoodbhoy Scholarship, Bombay	..	..	..	1
Qilla Gift, Lyallpur	..	..	..	8
Political Agent, Quetta	..	..	..	1
Mamdot Estate	..	..	..	1
Military	..	..	..	2

Total .. 114

(e) Without a compulsory college uniform and a proctorial system no check is possible on students' visits to cinema shows which are held before the closing hours of the hostel, i.e., 9-30 P.M.

University Examinations.

Examinations.				Number appeared.	Number passed.	Percentage of passes.
1928—						
M. A.	..	..	..	70	41	58.6
M. Sc.	..	..	..	28	25	89.3
B. A.	..	..	..	130	95	73.1
B. Sc.	..	..	..	12	9	75.
B. Sc. (Hons. Schl.)	..	..	..	13	13	100.
Inter (Arts)	..	..	..	57	44	77.
Inter (Sc.)	..	..	..	99	64	64.6
Total				409	291	71.
1929—						
M. A.	..	..	..	88	51	58.0
M. Sc.	..	..	..	28	27	96.4
B. A.	....	..	..	142	99	69.7
B. Sc.	..	..	..	8	6	75.
B. Sc. (Hon. Schl.)	..	..	..	15	15	100.
Inter (Arts)	..	..	..	49	35	71.4
Inter (Sc.)	..	..	..	110	32	74.5
Total				440	315	71.6

Examinations.				Number ap- peared.	Number pass- ed.	Percentage of passes.
1930—						
M. A.	..	..	..	90	55	61.1
M. Sc.	..	..	..	36	31	86.1
B. A.	..	..	..	148	110	74.3
B. Sc.	..	..	..	8	6	75.
B. Sc. (Hon. Schl.)	..	..	..	6	6	100.
Inter (Arts)	..	..	..	70	48	68.5
Inter (Sc.)	..	..	..	99	54	54.5
Total				457	310	67.8
1931—						
M. A.	..	..	..	83	56	67.47
M. Sc.	..	..	..	31	27	87.07
B. A.	..	..	..	153	123	80.23
B. Sc.	..	..	..	16	11	68.73
B. Sc. (Hon. Schl.)	..	..	..	9	8	88.88
Inter (Arts)	..	..	..	69	57	82.6
Inter (Sc.)	..	..	..	85	62	74.6
Total				446	344	77.13
1932—						
M. A.	..	..	..	96	69	71.88
M. Sc.	..	..	..	28	23	82.14
B. A.	....	..	..	141	109	77.3
B. Sc.	..	..	..	9	8	88.88
B. Sc. (Hon. Schl.)	..	..	..	10	10	100.00
Inter (Arts)	..	..	..	62	45	74.58
Inter (Sc.)	..	..	..	76	55	72.37
Total				422	319	75.69

Average percentage of passes = 72.62.

CUTS AND BREACHES ON KARKAN BRANCH.

(Answer to Question No. 638, page 684 ante.)

The Honourable Captain Sardar Sir Sikander Hyat Khan :

(a) In 1931 one breach and one cut by zamindars.

In 1932 two breaches and five cuts by zamindars.

(b) The state of supply of water at the tail varied from moderate to good and was affected for short periods only by the cuts and breaches mentioned in (a) above.

(c) Yes, such complaints were received but were found in the main to be baseless.

(d) Yes. Mr. Bostock, Executive Engineer, proposed a new distributary off-taking from R. D. 209,000 Gugera Branch Upper. No such scheme recommended by Mr. Townsend, Executive Engineer, is traceable in the records.

(e) No, the tail of Karkan Branch distributary is only 30 miles from the off-take on the Lower Chenab Canal and the command at the tail is very good, whereas command from the shorter route is bad owing to the "fall" on the Upper Gugera Branch.

Also the tail of every distributary on the Canal is nearer the Main Canal than it is to its own head.

(f) The recent excavation to Mr. Smith's line combined with other improvements introduced by Mr. Colyer have resulted in excess supply at the tail since the middle of February 1933.

(g) The expenditure incurred is—

	Rs.
(i) Remodelling outlets on Karkan Branch 0 to tail ..	2,613
(ii) Remodelling outlets on Mananwala distributary 0 to 76,000 (off-take of Karkan Branch) ..	5,898
	<hr/>
Total ..	8,011
	<hr/>

(h) No, the supply at tail has been in excess of permissible since the middle of February 1933.

(i) No, the figures for the last 19 years show on the average an excess, in each case of these 4 Chaks, over the area for which irrigation is provided by Government.

(j) The records show that 23 petitions have been received during the past 20 years of which 16 were received in 1981 and 1982.

Investigation of a vociferous petition from Chak 179 received in November 1982 elicited the fact that in Kharif 1982, the area irrigated was 605 acres against 377 acres for which Government provides irrigation.

(k) No. The records do not show this to be a fact.

(l) This does not arise.

SWEEPER CHRISTIAN COLONY IN LYALLPUR.

(Answer to Question No. 648, page 751 ante.)

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

(b) 987.

(c) 55 kanals and 2 marlas.

COMPENSATION FOR LAND ACQUIRED FOR WESTERN JUMAN DRAIN.

(Answer to Question No. 659, page 983 ante.)

The Honourable Captain Sardar Sir Sikander Hyat Khan : (a) There is no drain known as the Western Juman Drain within the boundary of Bahadurgarh village in Rohtak district though there is one known as the West Jua drain. It is presumed that the honourable member refers to this drain. If so, the answer is in the negative.

(b) Does not arise.

(c) and (d) No land was acquired as in constructing this drain an existing drainage line was improved. Hence no compensation is due.

CATTLE FAIR OF CHET CHAUDAS.

(Answer to Question No. 661, page 983 ante.)

The Honourable Dr. Gokul Chand Narang : (a) and (b) Such a memorial was presented to the Deputy Commissioner, but he forwarded it, not to the local Government as the fair is managed by the district board of Ludhiana and not by the Government, but to the district board. The board considered the memorial and decided not to close the fair ; but accepted the suggestion that no animal valued at less than Rs. 10 should be sold.

TRAINED PHYSICAL INSTRUCTORS.

(Answer to Question No. 681, page 1232 ante.)

The Honourable Malik Sir Firoz Khan Noon : (a) (i) 71 including one in the Government High School, Delhi.

(ii) 75 including one part time.

(iii) 20 including one part time.

(b) Those working in district board schools are paid from district board funds and those working in municipal board schools are paid from municipal funds. Government contributes in all cases in accordance with the rules of grant-in-aid.

BUTHWAH CANAL, FEROZEPUR DISTRICT.

(Answer to Question No. 688, page 1238 ante.)

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

(b), (c) and (d) Statements Nos. I, II and III giving the averages of the last four years are laid on the table—

Statement No. I, showing the average area irrigated by the Butwah Canal, upstream and downstream of the Sutlej Navigation Channel.

Year.	Area irrigated upstream of Sutlej Navigation Channel.	Area irrigated downstream of Sutlej Navigation Channel.
	<i>Ghumans.</i>	<i>Ghumans.</i>
1928-29	2,771	4,068
1929-30	1,779	3,600
1930-31	1,618	3,818
1931-32	2,117	3,061
Total ..	8,285	14,587
Average ..	2,071	3,694

Statement No. II, showing the names of villages situated downstream of the Sutlej Navigation Channel and the area irrigated in each by the Butewah Canal.

Serial No.	Name of village.	Average irrigated area.
		<i>Ghumaons.</i>
1	Luthar	35
2	Hasteke	160
3	Khai	166
4	Karyan	370
5	Kailuwala	178
6	Suba Kadim	949
7	Gokhiwala	172
8	Suba Jadid	125
9	Madhre	65
10	Ferozepore City	340
11	Ghiniwala	165
12	Naurangke Laily	310
13	Piranwala	196
14	Bhadru	14
15	Sodhewala	49
16	Bhagwanpura	174
17	Bahadarwala	76
18	Dulchike	32
19	Qutbewala	49
20	Saideke	32
21	Khilchi Qadim	80
22	Khilchi Jadid	184
23	Kahanchandwala	392
24	Haji Chhinba	31
Total		3,634

Statement No. III, showing the area under rice in the villages situated downstream of the Sutlej Navigation Channel.

Serial No.	Name of village.	Average irrigated area.
		<i>Ghumans.</i>
1	Karyana	309
2	Kailuwala	123
3	Suba Qadim	78
4	Suba Jadid	98
5	Gokhiwala	118
6	Madhre	17
7	Ferozepore City	192
8	Ghiniwala	56
9	Naurangke Laily	58
10	Piranwala	40
11	Bhadru	4
12	Sodhewala	9
13	Bhagwanpura	9
14	Bahadarwala	4
15	Dulchike	2
16	Qutbewala	2
17	Khai	44
18	Saideke	4
19	Khilchi Qadim	11
20	Khilchi Jadid	46
21	Kahanchandwala	128
22	Haji Chhinba	19
23	Hasteke	91
24	Luthar	5
	Total ..	1,407

BUTEWAH CANAL.

(Answer to Question No. 684, page 1234 ante.)

The Hon'ble Captain Sardar Sir Sikandar Hayat Khan : (a) Yes, the restriction has been placed with a view to prevent waterlogging.

(b) This was necessitated in order to check the waterlogging of certain villages near Ferozepore.

(c) Yes. But if on experience it is found that the supply of water is short, the matter will be reconsidered.

(d) Yes.

(e) A copy of the notice issued in vernacular is placed on the table.

نقل

پوت دوگم

باجلاس صاحب سپرنٹنڈنٹ بہادر گمرے کفال ضلع فیروز پور باختیارات کلکٹر
نوٹس

(۱۰-۲۲-۳۰-ایکٹ نمبر ۳-سنہ ۱۹۰۵ ع

بنام احمد و کمالا وغیرہ ساکنان موضع کریان خورن تحصیل و ضلع فیروز پور و
حاصل وغیرہ سکنا ئے کریان خورن تحصیل و ضلع فیروز پور۔

ہر گاہ تمہارے نام نوٹس جاری کیا جاتا ہے کہ موگہ نمبر ۱۶۲-جانب چپ
فاصلہ ۱۳۵۲۶۷-احمد و کمالا وغیرہ۔

موگہ نمبر ۱۶۵-جانب چپ فاصلہ ۱۳۶۰۲۹ حاصل وغیرہ کے جو ہیں۔ یہ
دولوں موگہ جات پر جو رقبہ ہے وہ نشیبی ہے اور اس سے پانی ضائع ہو کر جھل
پیدا کرتا ہے اور موگا جات کا سائز رقبہ کے لحاظ سے زیادہ ہے۔ صرف ایک موگہ
ہردو موگہ جات کے رقبہ کو سیراب کر سکتا ہے۔ چوتھ جھل کی بندش کا انتظام کیا
جانا ضروری ہے۔ لہذا حکم دیا جاتا ہے کہ موگہ نمبر ۱۶۵ حاصل وغیرہ کا جو ہے
اوس کو بند کر دیا جاوے اور موگہ نمبر ۱۰۲-احمد و کمالا وغیرہ جاری رکھا جاوے
اور اس موگہ سے حاصل وغیرہ بھی پانی لگایا کرینگے۔ اگر موگہ نمبر ۱۶۵ کو جاری
کھا گیا تو قانونی گرفت کی جاوے گی۔ اور سرکاری طور پر اوسکو گراؤ لاکٹ وصول
کی جاوے گی۔ مورخہ ۲۱ جون سنہ ۱۹۳۰ ع۔

دستخط۔ مہان حشمت علی صاحب

کلکٹر گمرے کفال۔ ضلع فیروز پور۔

نشان انگوٹھا حاصل

۲۲ جون سنہ ۱۹۳۰ ع۔

نشان انگوٹھا

گواہ شد الہی بخش ولد غلام۔

۲۲ جون سنہ ۱۹۳۰ ع۔

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